The Forum.

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STATE RIGHTS AND FOREIGN RELATIONS.

"*Polonius*—My Lord, I will use them according to their desert.

"*Hamlet*—God's bodykins, man, better; use every man after his desert, and who should scape whipping? Use them after your own honor and dignity; the less they deserve, the more merit is in your bounty."

To the people of the United States and their government has been committed the great charge of maintaining peace and order over a vast domain, and to-day the mass of human interests in our land and the responsibility for their proper care and conduct are not exceeded, if equaled, in any other empire on earth.

The unit of our system is the individual man, and to preserve him in the possession of absolute civil and religious liberty we have adopted a system of government which, by limiting and distributing its powers, prevents their consolidation and the growth of tyranny. Ours is a government of laws, and to quote from the golden opinion delivered by the late Mr. Justice Miller —*clarum et venerabile nomen*—in the Arlington case:

"No man in this country is so high that he is above the law; no officer of the law can set that law at defiance with impunity; all the officers of the government, from the highest to the lowest, are creatures of the law, and are bound to obey it. It is the only supreme power in our system of government, and every man who, by accepting office, participates in its functions, is only the more strongly bound to submit to that supremacy and to

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observe the limitations which it imposes upon the exercise of the authority which it gives. Courts of justice are established not only to decide upon the controverted rights of the citizens as against each other, but also upon rights in controversy between them and the government, and the docket of this court is crowded with controversies of the latter class."

One of the chief and enduring purposes for which the Constitution of the United States was ordained is the establishment of justice. Indeed, this was the great end of the system as organized, and if it should ever fail the system would perish. All persons within the territory of the United States under the sanction of admitted public law owe it allegiance: the citizens owe it permanent allegiance, the resident foreigners owe it temporary allegiance. All alike are subject to its laws and all alike are entitled to the protection of those laws. It is believed that this great function of administering justice has on the whole been honorably and fairly executed by the officials into whose hands the duty has been committed. Our courts of justice have been open to all. No discrimination by reason of nationality, or race, or condition of fortune, can be found upon our statute books or is indicated by the recorded judgments of our courts. With or without treaty stipulation, no case can be found of denial of justice, either by administration or by color of the statute, against a foreigner; on the contrary, no more patient, laborious, and learned decisions upon the rights of person and property can be adduced than those in which foreigners have been interested parties.

I am aware of no case until the present time in which indemnity for personal injuries inflicted upon a foreigner within our jurisdiction has been demanded by a foreign government from the United States by reason of the failure of justice in its judicial courts. Of the case in which indemnity is stated to have been demanded very lately by Italy of the United States for the killing of possibly two alleged Italian subjects in the city of New Orleans, I intend to say nothing at present, as the matter is pending in negotiation and is still undergoing the usual and proper investigation by the Executive Department. I desire to discuss, upon principle, the measure of our liabilities for injuries inflicted upon individuals by other individuals within our juris-

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diction, and I shall not refer to the New Orleans case or to the unduly excited and unprecedented action of the Italian government in relation to it as an illustration of the law to which the American people intend to adhere.

I shall draw attention to the two cases in which, and in which alone, an attempt has been made to substitute for the remedies and redress always obtainable by an appeal to our local courts of justice, a demand upon the government of the United States for pecuniary compensation in the class of cases alluded to—one by Great Britain in 1878, and the other by the Chinese government in 1885. The answer of the government of the United States in both cases was the same; and it may be proper to note that in the English demand no reference was made to the existence of treaty stipulation for reciprocal protection and security, as set forth in the treaty of 1815, which is still in force between the two countries, while in the case of the Chinese demand, the claim was based expressly on the stipulations of treaties between the two countries.

A score or more instances can be found, in existing treaties between the United States and foreign nations, of stipulations for securing to citizens of each nation, residing within the territory of the other, the enjoyment of all the privileges of the most favored nation and perfect equality with the natives. These stipulations, while varying somewhat in form, are in substance equivalent, and in none of them is a greater degree of care, diligence, and active protection required of the government of the United States than is bestowed by it upon its own citizens. The grant of assured protection is almost invariably accompanied by the condition that the individuals so protected shall submit themselves to the conditions imposed upon the natives, or, in the phraseology of our treaty with Italy, that they shall receive protection "upon the same terms as the natives of the country, *submitting themselves to the laws there established.*"

In no case is a separate or special tribunal stipulated for on either side; the same laws that control the natives, and the same courts of justice that administer those laws and are resorted to by the natives, alone are mentioned. I except, of course, those oriental countries in which extra-territorial jurisdiction is con-

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ceded to our consular and diplomatic officers in all cases where our citizens in those countries are concerned. When, therefore, in the United States, an injury to person or property has been sustained by an alien here resident, his treaty rights, or his rights under international law and the usage of civilized nations, are the same as those that are available to any citizen of the United States. No treaty was ever entered into by the United States with any nation which stipulated for the enforcement of laws discriminating in favor of the subjects of any foreign government residing in the United States, or entitling them to any other or any greater protection than is accorded to the citizens of the most favored nation, or to our own citizens.

As one result of the untrammeled migration and intermingling of the different populations of the world, facilitated by the cheapness and freedom of locomotion of the present day, we find unhappily that immigrants to the United States not infrequently bring with them the personal, social, political, and sectarian issues and differences which agitate the countries from which they come. In this freedom of intercourse and in the very easy acquisition of American citizenship, we can discover evidences that our domestic policies, as well as our foreign policies, are liable to be improperly colored and influenced by considerations, prejudices, and sympathies with which, as a nation or internationally, we should have nothing to do; which are invasive, if not destructive, of that national independence and autonomy essential to the character, honor, and welfare of the United States of America; and which cannot fail to impair our reputation for disinterestedness and our consequent weight in the council of nations. It becomes, therefore, manifestly our duty as citizens of a constitutional republic to recur frequently to those principles of our Constitution which are essential for the preservation of our national polity, and to estimate at their proper value the duties and responsibilities inherent in American citizenship.

To this end there must be united insistance that our national polity should not be obscured or displaced in the mind of any official charged with the duty of representing this government, but that the keeping of it clearly in view should be regarded as the prime duty of all agents of the American people. Fortu-

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nately and wisely, we have thus far steered clear of "entangling alliances," with the single and limited exception of our treaty of 1846 with New Granada respecting the transit of the Isthmus of Panama; and by thus following the policy of careful abstention from all interference in the domestic questions and local issues of other nations, we are enabled more consistently to check and repel any impertinent or pragmatical attempt by foreigners to intermeddle with our domestic policies or to dictate alterations in our carefully-arranged distribution of powers. It may as well be understood that, desirous as we are of pursuing policies of peace, comity, and reciprocal advantage with all nations, we will never so lower the standard of our independence as to change the form and principles of our government to accommodate strangers who come among us voluntarily and in pursuit of their individual tastes and fortunes.

The establishment of the treaty power under the Constitution is clear and explicit. No State can enter into any treaty, alliance, or federation; and the President has power, by and with the advice and consent of the Senate, to make treaties, provided two thirds of the senators present concur. To the President also is given power to nominate, and, by and with the advice and consent of the Senate, to appoint ambassadors and other public ministers and consuls. He receives ambassadors and other public ministers and takes care that the laws are faithfully executed. The judicial power extends to all cases in law and equity arising under the Constitution, the laws of the United States, and the treaties that are made under their authority; and in all cases affecting ambassadors and other public ministers and consuls, the Supreme Court has original jurisdiction. In their foreign relations the United States are thus to be exclusively represented by the executive branch of the government.

A treaty is a compact between independent nations, and depends, for the enforcement of its provisions, on the interests and honor of the governments which are parties to it. With this, however, the judicial courts have nothing to do, and they can give no redress; but the treaty may contain provisions conferring upon those citizens or subjects of one of the nations that reside in the territorial limits of the other, rights which are capable of enforce-

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ment, as between private parties, in the courts of the country. Under our system of separation and distribution of powers between the departments of the government, the Executive cannot justly exercise powers assigned to the Judiciary, nor the Judiciary powers belonging to the Executive.

The control of the foreign intercourse of the country has thus undoubtedly been conferred exclusively upon the federal government, and the sixth article of the Constitution, to exclude all possibility of obstruction, by States or their officers, to the execution of treaties, expressly states:

> "All treaties made or which shall be made under the authority of the United States shall be the supreme law of the land, and the judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding; and all executive and judicial officers, both of the United States and of the several States, shall be bound by oath or affirmation to support this Constitution."

The recital of these express mandates of the Constitution, binding equally the judges of the State courts as well as those of the United States courts to support, under oath, the execution of treaties, indicates unmistakably the intention to employ State tribunals equally with those of the United States to compel obedience by citizens everywhere in the United States to the compacts so made with foreign nations. It permits no doubt to remain that the avenues of public justice everywhere in the United States are equally open to all persons, and that resident aliens are to be treated precisely like our own citizens.

Treaties and acts of Congress passed in pursuance of the Constitution are named together as the paramount law of the land. No superiority is, in terms, assigned to one or the other, but every power can be exercised only under the limitations and modes prescribed by the Constitution, and in conformity with those limitations. A treaty is no more the supreme law of the land than is an act of Congress, as is shown when the act of Congress vacates *pro tanto* an inconsistent prior treaty. Whenever, therefore, an act of Congress would be unconstitutional, as invading the reserved rights of a State, a treaty to the same effect would be unconstitutional. The extent of treaty powers, as expressed in the Constitution, is unlimited in terms, except by

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those restrictions which are found in that instrument against the acts of the government or of any of its departments, and against those arising from the nature of the government itself and that of the States. It would not be contended that the treaty power extends so far as to authorize what the Constitution forbids, or any changes in the character of the national government or in that of the States. A departure from the structure of our institutions, by subjecting the State governments to the control of Congress in the exercise of ordinary and fundamental powers heretofore universally conceded to them, would be as unwarranted if it were sought to be accomplished under the form of a treaty as if it were sought under an act of Congress.

Immediately after the promulgation of the last three amendments to the Constitution, Congress proceeded to legislate for their enforcement, but in the then prevalent sectionalism which controlled the two Houses, the class of laws called "reconstruction measures" were so colored by the desire to extend their power beyond the just limits of the amendments on which they were professed to be founded, that the Supreme Court, by a series of decisions, declared the greater part of such legislation to be invalid because it is unwarranted by the Constitution and destructive of the symmetry of our government. Under these decisions, while recognizing fully certain prohibitions against the action of the States, the courts have repeatedly decided that Congress cannot confer jurisdiction over offenses committed by individuals against other individuals without warrant of law or in violation of law. In the case of Cruikshank, Mr. Justice Bradley, referring to that part of the Constitution under discussion, said:

"It is a guarantee against the exertion of arbitrary and tyrannical power on the part of the government and legislature of the State, not a guarantee against the commission of individual offenses; and the power of Congress, whether express or implied, to legislate for the enforcement of such a guarantee, does not extend to the passage of laws for the suppression of crime in a State."

The Supreme Court took the same view in considering the same case, and said:

"This provision does not add anything to the rights of one citizen as against another. The duty of protecting all its citizens in the enjoyment

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of an equality of rights was originally assumed by the States, and it remains there."

In 1886 one Baldwin, together with others, was charged with a conspiracy illegally to deprive certain Chinese subjects of equal privileges and immunities secured to them under existing treaties with China, and the case came before the Supreme Court under a writ of *habeas corpus*. The court sustained its ruling in the case of the United States against Harris (one of the series referred to, decided in 1882), saying that that case had been carefully considered at the time and that subsequent reflection had not changed its opinion as therein expressed. The court decided in the case before it that "the offense of the defendants was exerted against the Chinese people, and not against the government in its efforts to protect them." In his dissenting opinion Mr. Justice Field deplored, as the result of the decision, that "no national law exists which can be invoked for the protection of the subjects of China in their right to reside and do business in this country, and that the same result must follow with reference to similar rights and privileges of the subjects or citizens of other nations with which we have like treaty stipulations," and declared that "the only protection against any forcible resistance to the execution of these treaty stipulations in their favor is to be found in the laws of the different States." But the fact remains that the treaties are made expressly binding by the Constitution upon all State judges, anything in the Constitution or laws of any State to the contrary notwithstanding; and when absolute failure of justice can be shown to have arisen from the action or non-action of the State tribunals, then, and not until then, it will be proper for the Executive to consider whether Congress should not indemnify the injured parties by reason of the failure of this government to execute, substantially and in good faith, the compact entered into with a foreign nation. As the measure of justice and protection stipulated for in the treaty is to be the same in the case of foreigners as in the case of citizens and natives of this country, it is difficult to see a cause of complaint when the cases of both are submitted to the same tribunals for decision.

The principles of law and justice, as administered in the

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courts of the United States and in the courts of the several States, are derived from the same sources, and both are founded upon those rules of justice which are recognized in all civilized countries. The decisions of those courts are mutually cited as authority in either and in both. It may be said of the judges who preside over them and of the juries who try in them, in the words of Chief Justice Taney in the case of Crandall against Nevada: "For all the great purposes for which the federal government was established, they are one people, with one common country; they are all citizens of the United States."

The federal judges not infrequently have distinguished themselves by prior service in the State courts; the *personnel* of the bar is the same in both jurisdictions; the juries are drawn at large from the same communities, possess the same qualifications, and not uncommonly serve alternately in either court. The foreigner in our country who seeks redress for his private injuries has the advantage over our native citizen of electing in which jurisdiction—State or federal—he will pursue his remedy. It is difficult, therefore, tried by any test or fact or law, to discover wherein there is any defect in the execution by the United States of its stipulations with foreign nations to give to their citizens or subjects the equality of rights and privileges secured to our own citizens.

I have referred to the case of Tunstall, the correspondence in regard to which was closed by a letter addressed in June, 1885, by the Secretary of State to the British Minister at Washington. J. P. Tunstall was a British subject domiciled in New Mexico, where he was carrying on business. He was murdered in the year 1878, and an investigation by a special agent of the Department of Justice disclosed that three persons witnessed the murder, and that two of the three committed it. Two of these three were afterward killed, and there was no knowledge that the survivor had ever been brought to justice for his complicity. In 1880 Sir Edward Thornton presented, under instruction of his government, a claim on behalf of the father of Mr. Tunstall for such compensation as, upon examination of the injury and losses, should be found to meet the justice of the case. The liability of the United States was not admitted by Mr. Evarts, then Secre-

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tary of State, nor by Mr. Blaine, his successor, nor by Mr. Frelinghuysen; but the last-named secretary suggested to the British Minister, in 1882, to refer the claim of Tunstall, under the authorization of Congress, to the Court of Claims or other judicial resort. The suggestion was rejected by Her Majesty's government because the proposed adjudication would not be based upon a prior admission of the liability of the United States in the premises, subject to an establishment of the facts after judicial inquiry. Upon a revival of the demand in April, 1885, the position of the United States in respect to such claims was fully stated by the Secretary of State, and it will be found at length in the volume of "Foreign Relations" for that year. The similarity of our institutions and laws with those of Great Britain was stated with numerous illustrations, and the annals of English jurisprudence were referred to as thoroughly sustaining the position taken on behalf of the government of the United States.

I can do no better than to transcribe from that correspondence the following paragraphs:

"Appealing to principles acknowledged in common in England and in the United States, it is maintained that in countries subject to the English common law, where there is the opportunity given of a prompt trial by a jury of the vicinage, damages inflicted on foreigners on the soil of such countries must be redressed through the instrumentality of courts of justice and are not the subject of diplomatic intervention of the sovereign of the injured party. . . . Prior to the occurrences now under consideration, there must have been many cases in which British subjects supposed that they had suffered loss through the negligence or the malice of subordinate officers of the different States and Territories composing this Union, but no record can be found, at least on the files of this department, of cases in which, when redress could be had by appeal to local courts of justice, an attempt has been made to substitute for such redress a demand upon the government of the United States for pecuniary compensation. The same may be said of the many cases in which citizens of the United States may have suffered, or claim to have suffered, injury in Great Britain from the conduct of British officials. When such injury was inflicted upon the high seas, or in foreign uncivilized lands, and especially if inflicted by the armed military or naval power directly emanating from the sovereign executive, then it was properly regarded as the subject of diplomatic intervention; but a careful search in the records of this department discloses no diplomatic appeal for pecuniary compensation for injuries claimed to have been inflicted on American citizens when on the soil of Great Britain."

"The practical result of this fair dealing is even more marked in this

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country than in England. There are reported in our books multitudes of cases in which local officers of justice have been sued by foreigners in our courts for false imprisonment, or for malicious prosecution, or for assault, and this must needs be the case in communities like ours, in which a large proportion of the population consists of foreigners unfamiliar with our laws. In not one of these cases, however, has it ever been maintained that the foreign plaintiff had not at least the same privileges awarded to him as he would have had if he had been a native citizen, nor can the most jealous scrutiny of the proceedings show in a single case any misstatement of law to his disfavor. The first instance, in fact, in which, instead of an appeal to the courts thus open, diplomatic intervention through a sovereign is urged, is that which we now have to discuss."

"To accept the position of the British government in this matter would, moreover, lead to utter confusion in the constituted arrangements of our system, which, like that of England, sedulously maintains the executive, judicial, and legislative departments distinct from each other. The claim now put forward, if allowed, would usurp judicial functions by the executive and legislative branches, and would substitute a government of will for a government of law. Private loss and injury ensue from temporary disorders and breaches of the peace under any government."

In 1878, 3,000 loaded railway cars were destroyed by a mob at Pittsburg, Pennsylvania. This property must have belonged to a variety of persons, probably of different nationalities, but no one who lost his property nor the relatives of any who lost his life (and many lives were lost) ever pretended to hold the United States government responsible.

In March, 1884, the city of Cincinnati was for three days the scene of arson, pillage, and bloodshed. In the riot forty-five persons were killed and a greater number were wounded. The county court-house and the valuable records it contained were burned, the jail was wrecked, and a government of laws was temporarily laid prostrate. That among those killed were foreigners is well ascertained, yet no suggestion of indemnity was ever made by a foreign government. To quote again from the correspondence:

"Under no aspect of the case is there any right under our law to redress such injuries as Mr. Tunstall suffered which is not as open to a foreigner lawfully within the United States as to any one of our own citizens. There is no discrimination between them. . . . 'The state,' says Sir R. Phillimore ('International Law,' II., 4) 'must be satisfied that its citizen has exhausted the means of legal redress offered by the tribunals of the country in which he has been injured. If these tribunals are unable or unwilling to

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enter energetically upon his grievence, the ground for interference is properly laid; but it behooves the interfering state to take the utmost care—first, that the commission of the wrong be clearly established; secondly, that the denial of the local tribunals to decide the question at issue be not less clearly established. It is only after these propositions have been irrefragably proven that the state of a foreigner can demand reparation at the hands of the government of his country.'"

And this position, as was pointed out, was sustained by Chief Justice Waite in the case of New Hampshire against Louisiana as follows:*

"No principle of international law makes it the duty of a nation to assume the collection of the claims of its citizens against another nation if the citizens themselves have ample means of redress without the intervention of their government. Indeed, Sir Robert Phillimore says in his 'Commentaries on International Law,' Vol. II., page 12, 'As a general rule the proposition of Martens seems to be correct, that the foreigner can only claim to be put on the same footing as the native creditor of the state.'"

Finally, upon a full review, the liability of the United States, either directly toward the representatives of the murdered man or internationally toward Her Majesty's government, was denied.

In the case that gave rise to the Chinese demand, 28 of their countrymen were killed outright, 15 wounded, and many more driven from their homes, which were pillaged or destroyed by a band of riotous individuals at Rock Springs, in Wyoming Territory. An article of the Chinese treaty provides that "Chinese subjects, visiting or residing in the United States, shall enjoy the same privileges, immunities, and exemptions in respect to travel or residence as may there be enjoyed by the citizens or subjects of the most favored nation." To this demand, reply was made that it had been ascertained that the assailants consisted of a lawless band of armed men—discontented mining laborers who had previously sought to induce the Chinese to join with them in a concerted strike for higher wages, and who had become angered by the rejection of their overtures. This was the only motive discernable for the assault, or alleged in the reported evidence. On neither side, among assailants or assailed, was there any representative of the government of China, or of that of the United States, or of that of the Territory of Wyoming. There was,

*108 U. S. Reports, page 90.

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therefore, no official insult or wrong, as there could not be. Whatever occurred was between private individuals. It was, moreover, absolutely without national character. The domestic element of an ordinary civil disturbance was wanting. The assailants, equally with the assailed, were strangers in our land. In strict truth, the hospitality of a friendly country, no less than the rights of peaceable sojourners therein, may be said to have been outraged by a body of aliens, who, being permitted by the generosity of our laws to enter our borders and roam unchecked and at will throughout our jurisdiction, freely and profitably selecting their places of abode and finding occupation therein, abused the privileges thus accorded to them and committed gross breaches of the public peace, suddenly, and doubtless with the knowledge that nowhere within summons could any police organization be found in sufficient force to stay their criminal hands.

The volume of "Foreign Relations" for 1886 contains the full history of this demand for indemnity and the reasons for its rejection. In that correspondence with the Chinese Minister, the same principles were laid down as had been cited in the reply to the British Minister in Tunstall's case. It was said:

"To the judiciary branch is committed the administration of remedies for all wrongs, and its courts are open, with every aid they can devise, to secure publicity and impartiality in the administration of justice to every human being found within their jurisdiction. Providing thus a remedy for all individuals, whether many or few, rich or poor, and of whatever age, sex, race, or nationality, the question of liability for reparation or indemnity for losses to individuals, occurring in any way, must be settled by the judgments of the judicial branch, unless the act complained of has been committed under official authority in pursuance of governmental orders to that end. The government of the United States recognizes in the fullest sense the honorable obligation of its treaty stipulations, the duties of international amity, and the potentiality of justice and equity, not trammeled by technical rulings nor limited by statute. But among such obligations are not the reparation of injuries or the satisfaction by indemnity of wrongs inflicted by individuals upon other individuals in violation of the law of the land. Such remedies must be pursued in the proper quarter and through the avenues of justice marked out for the reparation of such wrongs. . . . I should fail in my duty as representing the well-founded principles upon which rests the relation of this government to its citizens, as well as to those who are not its citizens and yet are permitted to come and go freely

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within its jurisdiction, did I not deny emphatically all liability to indemnify individuals, of whatever race or country, for loss growing out of violations of our public law, and declare with equal emphasis that just and ample opportunity is given to all who suffer wrong and seek reparation through the channels of justice as conducted by the judicial branch of our government."

There were certain features in the case which appealed strongly to the sense of humanity, and which were communicated by the President to Congress, with a recommendation that compensation for the loss of the property destroyed should be given in a benevolent spirit; and this was done by Congress, which subsequently, in 1888, made a still larger appropriation in compensation for similar losses suffered by Chinese on the Pacific coast; but in each case the award was expressly stated to have been made *ex gratiâ*, and was accompanied by the most distinct denial of all legal liability, under international law or treaty, to make good losses so caused.

The importance of establishing a correct principle, and the everlasting and increasing injury of consenting to an evil principle, invest this question with gravity, for it is very evident that if the government of the United States shall admit that it is liable to indemnify individuals directly, or a foreign government acting in their behalf, for injuries inflicted upon citizens or subjects of such foreign government within the United States and in violation of its laws, and that such claimants are absolved from all efforts to obtain redress in the judicial courts, which are as open to the foreigner as to our own citizens, and where justice is administered with an equal hand to either and to both, it will create a precedent which will not merely be prolific of international dissensions, but which will impair the structure of our government, seriously disarrange the system of checks and balances under our State and federal systems, and confuse and destroy the essential boundary between executive and judicial powers which is one of the most important features in the Constitution of our government.

There is a manifest and dangerous tendency in our institutions toward centralization and consolidation of power. No remedy, therefore, for alleged evils or inconveniences should be accepted that increases this tendency, for it is in the strict enforcement of

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limitations upon power and its decentralization that the best hopes, and even the possibility, of free institutions of human government can be found. If, therefore, the principles of law and the arrangements for their exercise declared by our courts to be consonant with the provisions of the Constitution and essential to the preservation of individual liberty, cannot be peaceably possessed and enjoyed by our citizens, and be acknowledged and recognized as the basis of our government, because of the presence within our borders of alien subjects and citizens of foreign powers whose personal wrongs may not be remedied to their satisfaction or to that of their government without the impairment and disorder of our system, then the time has arrived when the unquestionable and sovereign right of the United States to determine by positive law who shall be permitted to enter our gates and who shall be excluded must be exercised.

Let us ascertain our full and honorable measure of international duty, and perform it faithfully in a dignified spirit of self-respect, not yielding to compulsion, but walking steadily in the path of self-imposed obligation.

THOMAS F. BAYARD.

APRIL 13.

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THE COMMONWEALTH OF AUSTRALIA.

WHAT significance has the formation of the new Commonwealth of Australia? Among the advantages claimed for it by its founders are national influence; national credit; defense against an aggressive foe; the development and protection of the coast fisheries; the prevention of the influx of foreign criminals and of aliens of inferior races, Chinese or Asiatics; a "higher stature before the world"; a grander name; and a scheme of empire such as isolated colonies could not hope to carry out. These benefits, it is claimed, will be secured by the adoption of a Constitution framed after those of the United States and Canada, but avoiding the undesirable features of both and providing for a federal Court of Appeal, a Privy Council, and a Parliament consisting of a Senate and a House of Commons.

Beyond all this, it is the firm belief of many that this magnificent territory, with 8,000 miles of coast line inclosing 3,000,000 square miles, and with a present population of 4,000,000, is destined to control the Pacific and, in the near future, by the increase of its manufactures, to command the trade of all that part of the world in which it lies.

It is true that there have been men of brilliant ability opposed to federation, among others the Hon. I. E. Salomons, a Queen's counsel, who on June 4, 1890, delivered in the Legislative Council of New South Wales, of which he is a member, a brilliant speech in which he opposed federation as premature, unnecessary, and full of great and critical dangers. "As to those who see in it an instrument of independence," he said, "I regret that I know nothing in the way of argument that would affect them; but I would pray this chamber, and humbly through it the whole colony, to defer as long as may be the breaking of the link that binds us to the old country." He reminded his hearers that England is the home of freedom, that her Constitution has served as a model for every independent state, and that she laid

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the foundation of civil and religious liberty (Mr. Salomons himself is a Hebrew) and struck asunder the shackles of the slave. He concluded by asserting that all that is sacred, all that is really elevated and refined in the life of the colonies has come from England, and that anything that should tend to break the ties between them and the mother country would be a step in the direction of degradation.

The replies to Mr. Salomons, however, went to show that there was no intention of separation from the mother country. On the contrary, Sir Henry Parkes, the present Premier of New South Wales, who is the oldest advocate of federation, had previously asserted that, while Australia would, by its means, rise to a higher level, and occupy a larger place in the contemplation of mankind, such a movement would find a ready response in the old country, and, indeed, that England had already awakened to sympathy with it. Its object, he said, was only to secure admission "into the rank of nations that are still under the noble and glorious flag of the Motherland." And the first resolution adopted by the Australasian Federation Conference on February 13, 1890, at the Parliament House in Melbourne, was as follows:

"That, in the opinion of this Conference, the best interests and the present and future prosperity of the Australian colonies will be promoted by an early union under the Crown."

Again, on the 7th of last May, in moving for the concurrence by the Legislative Assembly of New South Wales in the resolutions adopted by the Federation Conference on the 13th of February, Sir Henry Parkes asserted that the convention had not met to draw up a declaration of independence, but that its members had been asked to assemble to frame a federal Constitution in union with the Crown of Great Britain. "The whole of the colonies," he said, "by their delegates and representatives, have declared that the time is ripe for that to be done." On the conclusion of the debate in the Legislative Assembly of New South Wales, after various postponements, on the 11th of last September the House, a very full one, adopted the scheme of union by a vote of 97 to 11, which completely put to flight all who entertained doubts similar to those of Mr. Salomons.

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Referring to the proposed Constitution, Sir Henry Parkes said that the rich stores of political knowledge which were collected by the framers of the Constitution of the United States would be largely resorted to, as well as the vast accumulations of learning on cognate subjects since that time. The scheme of federal government would necessarily follow close upon the type of the Dominion Government of Canada. It would provide for the appointment of a Governor-General, for the creation of an Australian Privy Council, and for a Parliament consisting of a Senate and a House of Commons. He added:

"We have only two modern examples. We have the case of the North American colonies which revolted, and happily—happily for the world, happily for England herself—established their independence; and we have the example of the Canadian Dominion. In the American example the people of the North American colonies were about 3,000,000; in the Canadian example the population was 3,294,056 souls; the population of these colonies is certainly not less than 4,000,000. So that, if population, which is the main element of national life, is to be considered, we have a status beyond that of North America in the revolt which resulted in independence, and beyond that of the Canadian colonies when they first proposed to federate. And if 4,000,000 English-speaking people, inheriting all the advantages which belong to our nation and race—if a population of 4,000,000 of this stamp are not ripe to enter into this united system of national life, it becomes the persons who say so to point to the time when they will be."

In debating the objections to certain clauses of the Constitution of the United States, Sir Henry made reference to the fact that the executive power is vested absolutely in the President of the United States—not vested with the advice of any body, but absolutely in the President. He then went on to show how that power has been used, notably in the case of two Presidents who had reigned supreme in the United States each for eight years—President Jackson and President Grant. In comparing the advantages of a Privy Council with those of a single executive he cited the statement, made in an article by Mr. David Dudley Field, that while the Crown in England has not vetoed a measure passed by the Legislature since the reign of Queen Anne, and while the House of Commons has not withheld supplies since the Revolution of 1688, yet in America both of these powers are exercised to-day.

After referring to further quotations from the same eminent

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authority—especially with reference to a scheme for the annexation of a portion of the island of San Domingo in pursuance of a treaty negotiated by an aid-de-camp, a treaty of which Charles Sumner publicly expressed the opinion that it trod under foot the Constitution in one of its most distinctively republican principles—Sir Henry went on to say that, in his opinion, the use of the executive power by the President of the United States was quite sufficient to warn the men intrusted with the duty of framing the Australian Constitution against placing that power in the hands of one man.

There can be little doubt that the probability of a European war, in which England might become involved, quickened and strengthened the determination for federation. In 1889, the Imperial government intimated to the several governments of the Australian colonies that it was prepared to send a distinguished officer to inspect the military forces of Australia. General Edwards, the officer who was sent, inspected the forces of the different colonies and reported that if the military forces of Australia were to be of use in time of danger they must be capable of being amalgamated into a single Australian army. In debate on this topic in the convention, speakers mentioned contingencies in which a federal government would be able to exercise effective authority, but which the provincial governments could not meet at all. It is impossible for the Australians to shut their eyes to the difficulties that are sure to beset their country from the multitudinous Asiatic races. The close proximity of these races to Australia, the ease with which they can visit it, their wonderful powers of imitation and invention when they have once had the track pointed out, should never be forgotten in estimating possible difficulties and dangers. Major-General Edwards pointed out the superior naval power—becoming stronger and more efficient every year—of the Chinese Empire. The Chinese have some of the finest ironclads and some of the fastest cruisers afloat, and it is well that the people of the Australian colonies should realize that they have this power so near—this power so fully armed, this power so well prepared to take advantage of all inventions and all improvements still further to arm itself. Human lives count as nothing in its calculations; and if China

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is now engaging the most experienced generals from Germany, and from England itself, to train her armed bodies, having already a considerable army, and if she is fast acquiring a navy inferior to few both in quality and numbers—truly it is time that Australians understood the character of this near neighbor.

The founders of the Commonwealth, moreover, reviewed the physical and material basis for a federal government. The colonies have an immense wealth in railways, including an unbroken chain of 2,600 miles from South Australia to Queensland. This great work and its several branches cost the colonies nearly £100,000,000—a sum equal to the estimated value of British railways in 1844 (according to Mr. Acworth's article in the March FORUM). This intercolonial chain of railways would enable the federal government to transport troops to any threatened part of the coast. The Transcontinental Telegraph, which joins the Indian and Southern Oceans, and brings Australia into continuous communication with Europe and the whole civilized world, is 2,000 miles long, and for the greater distance is carried across a previously unknown country.

Australia to-day is as far advanced in civilization as any country in the world. The roads are better than any on this continent; the daily and weekly papers and the development of literature and art are far in advance of the age of the colonies or the population. The new Commonwealth has all Europe and America as a field in which to seek the improvements of the time and the means to secure them. Its present wealth is almost beyond belief, and its resources almost incalculable. It produces more than one fourth of the wool of the world—twice as much as the United States. It produces one half the tin of the world, and there is no precious metal that has not been found within its domain. Its coal fields on the coast, convenient for export to all countries, are inexhaustible. The inward and outward shipping of one port alone exceeds 2,500,000 tons per annum, and the value of its commerce with Great Britain alone exceeds £100,000,000 sterling. The private wealth of the United States is £39 per inhabitant, of England £35.4, of France £25.14, of Germany £18.14, and of Austria £16.6. The private wealth of Australia exceeds any of these, being £48 per inhabitant. Last year's es-

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timate of the annual industrial productions of the population, including agriculture and mineral wealth, was no less than £95,042,000. The real standard in civilization is the extent to which wealth is diffused among the population, and, judged by that test, Australia stands at the head of the nations of the world. Its cities also are among the finest of modern times. The public buildings, shops, and parks compare favorably with any in Europe or America, while the floating palaces of the Peninsula and Oriental Steamship Company and the Orient Steamship Company give weekly communication with the Old World. In out-door sports the Australians excel, and their racing establishments and courses are the wonder and admiration of all visitors from abroad. Who has not heard of the champion boatmen and cricketers of Australia? As straws show how the wind blows, so do the youth of a nation point out its future. The Greater Britain of the Pacific will under federation double in wealth and population by the end of this present century, and will attract the commerce of the rapidly-developing islands of the Southern seas.

The significance of the federated Commonwealth of Australia, as regards the United States, will very much depend upon the policy of this country's government. Up to the present time this policy has been selfish, unfriendly, and in some instances niggardly. I refer to the refusal of governmental assistance to the steamship line connecting San Francisco with Australia by way of New Zealand. This line, subsidized by the two colonies of New Zealand and New South Wales, is the only instance of the granting of a subsidy to an alien company. The steamers are owned by Americans and sail under the protection of the American flag, but notwithstanding the constant endeavor of that grasping corporation, the Canadian Pacific Railway, to divert communication from San Francisco to Vancouver, the colonies have continued their subsidy in support of the line to San Francisco.

The chief export of Australia is wool, the average American duty on which exceeds 100 per cent. But Australia has always shown a very friendly feeling toward the United States and a desire to cultivate closer relations. She has been patient under long suffering, believing that a people so astute as the Americans

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will discover that they have erred in taxing raw materials and in shutting out commerce that under a wise policy would come to them. I need not point out here that the great Republic stands alone, among the civilized nations, in placing almost a prohibitory tariff on raw materials. The present head of the State Department at Washington, who is acknowledged by men of all parties to be capable of great statesmanship, will, it is to be hoped, lay aside prejudice and treat the Commonwealth of Australia as kindly and liberally as he does the Hawaiians and the Spanish-American races, by agreeing to reciprocity or by removing duties from raw materials and animal life. Australia wants American cotton, and already takes large quantities of all American manufactures; but, being shut out of the American market by a prohibitory duty, the Australians have to pay for their purchases in gold. This is contrary to all principles of sound political economy and must injure the nation that has adopted such an unwise policy.

The first direct and continuous trade between this country and the Australian colonies was in 1852. Its growth up to 1876 was steady. Then the very creditable exhibits of the colonies at the Centennial Exhibition drew attention to them. As a result of these exhibits American manufacturers sent their exhibits in turn to the Sydney and Melbourne exhibitions of 1878 and 1880. In consequence trade has largely increased, so that last year no less than 96 vessels of 99,158 tons register, with a total capacity of 185,000 tons, cleared from the port of New York for Australasia, to say nothing of the trading from the Pacific coast.

The new Commonwealth of Australia is certain to seek closer trade relations with this country. Let the great Republic meet her half way, and the end of this century will witness the greatest imaginable increase of commerce between the two richest branches of our great family. Then instead of 100 ships of 200,000 tons' capacity there will be 1,000 ships and 1,000,000 tons of exchangeable commerce. The history of both countries and peoples for the past quarter of a century shows that the increase of each in the production of wealth and in commerce has far surpassed the most sanguine expectations, and history in this case as in others will repeat itself.

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The fertile islands of the Southern seas—Samoa, Fiji, the New Hebrides, New Ireland, New Guinea, and others—are all capable of producing unlimitedly maize, sugar, coffee, spices, tea, and nearly all the tropical fruits. These islands, too, in time will be peopled by the Anglo-Saxon race, and will no doubt become tributary to the new Commonwealth of Australia. Let it also be borne in mind that the six present colonies of Australia include an area equal to that of the United States and capable of sustaining as large a population. Notwithstanding the distance of 1,200 miles that separates New Zealand from the continent of Australia, it was represented at the recent Conference and took part in the proceedings, and it is to be hoped that it will become a part of the new Commonwealth. The New Zealand climate resembles that of Great Britain, but is more equable, the extremes of daily temperature varying throughout the year by an average of only 20°, while London is 4° colder than the South Island and 7° colder than the North Island. The mean temperature of the different seasons for the whole colony is in spring 55°, in summer 63°, in autumn 57°, and in winter 48°. Taking all things into consideration, there is no more desirable climate than that of New Zealand, and its inhabitants must always exercise a great, if not a controlling, influence in the future of the Southern Pacific countries.

Among the statesmen who represented the several colonies at the birth of the new Commonwealth, and whose signatures to the constitution will ever be a part of the Nation's history, are many possessing great ability. Such men as Hon. James Service, Sir Samuel Griffith, Sir Henry Parkes, Sir Thomas McIlwraith, J. M. Macrossan, and Messrs. Gillies, McMillan, Abbott, Forrest, Dibbs, and Moorehead are citizens of whom any country would be proud. Doubtless their statesmanship and patriotism has produced a Constitution that will require few amendments now or hereafter.

RODERICK W. CAMERON.

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THE UNITED STATES CENSUS.

BEFORE proceeding to discuss the results of the eleventh census, it may be instructive and not without interest to consider what a census of the United States is, how it is taken, how it differs from a census of the European type, and what are its special liabilities to error. Historically, the census of the United States occupies a very proud position. We were the first nation of the world to institute a regular periodical enumeration of the people. Our first census was taken in 1790. The earliest census in England was that of 1801; in Ireland, that of 1811. The censuses of continental Europe came later; but they all came at last, so that to-day there is no civilized country which does not carry on this work at regular intervals.

The priority of this country in a matter of such great consequence has been made the subject of a very high eulogium by a French statistician of eminence, who declares that the United States present a phenomenon without parallel in history—"that of a people who instituted the statistics of their country on the very day when they founded their government, and who regulated by the same instrument the census of their inhabitants, their civil and political rights, and the destinies of their nation." Candor compels us to say that the praise of M. Moreau de Jonnès is not wholly merited. It was not an enlightened appreciation of the value of statistics which induced the statesmen of 1787 to incorporate in the national Constitution the provision requiring a decennial enumeration. The main, if not the sole, reason which actuated them was found in the character of the government which they proposed to set up. For by the Constitution of 1787 the States, while possessing equal powers in the Senate, were to have weight in the House of Representatives and in the Electoral College according to their respective numbers. For carrying out such a system of government a regular periodical enumeration was an absolute necessity. This, and not any felt need of accurate

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statistics, led to the provision in question. Not philosophical, but purely political, considerations gave the United States priority among the nations in the institution of the modern census.

At first the census was confined strictly to its original object —that of ascertaining the number of the people for the purposes of representation or of direct taxation. Even the names of all the inhabitants were not taken; only the names of householders, with the numbers of their respective families, divided into classes according to age, sex, and color. Soon, however, the census began to grow more extensive and complicated in two different ways: first, through the multiplication of inquiries relating to individuals, upon the family schedule, and, secondly, through the introduction of altogether new subjects of investigation, such as agriculture, the fisheries, mining, and manufactures. The first of these ways of enlarging the work of the census did not involve a departure from its primary object. The earliest census had been too simple fully and fairly to secure that object. To make sure that an enumeration is correct, to be able to verify it in case of complaint or doubt, to eliminate all duplications, to supply all omissions, not a few particulars are necessary regarding each individual counted. For this purpose there are needed, at least, the name, age, sex, race, and occupation. The place of birth—whether abroad or at home, and in what foreign country or what State of the Union—may also become a decisive means of identification in case of dispute. Moreover, in order that the census may determine the natural militia of the country, it is important to have not only the number of males between eighteen and forty-five years of age, but also all ascertainable facts regarding mental sanity and physical soundness. This last consideration fully justifies the incorporation, in the family schedule, of the inquiries regarding blindness, deafness and muteness, idiocy, insanity, and permanent disabilities, which, in greater or less fullness, have long been a part of the census.

Certain other inquiries, long ago introduced into the family schedule, have not so clear a justification, according to the strict meaning and primary purpose of a census; yet they constitute no abuse of this agency, either theoretically or practically. For example, that the state may know what provision should be

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made for public education, the inquiry as to illiteracy becomes of great importance. But whether we have regard to the interest and the attention of the enumerator, which should be concentrated on comparatively few subjects, or to the patience of the public, we must say that a highly conservative spirit should control the number and the nature of the census interrogatories. The commendable zeal and scientific ambition of the officers in charge may easily carry them over the line which marks the maximum value of a popular enumeration. The quality of the information to be obtained is generally of more importance than its quantity. A comparatively few interrogatories, searchingly put, carefully answered, and accurately recorded, will be worth more than a wider canvass conducted with any failure of interest and attention on the part of the enumerator, or with increasing impatience and irritation on the part of the public.

A second way in which the census has been enlarged since 1790 is through the institution of inquiries not in any sense appropriate to the family schedule, especially such as relate to industry and to certain social interests. This movement toward the addition of new schedules to the census began as early as 1810, when an awakening regard for manufactures led to an attempted enumeration of the nascent industries of the country, which was only in a faint degree successful. At three subsequent censuses prior to 1850 more or less work of the same nature was undertaken, seldom with profit. The agencies established were ill adapted to the purpose; statistical science was hardly yet born; the public interest in the results was feeble; the enumerators were inadequately instructed for their work.

In 1850 a new law was enacted for the seventh census, and a truly vast addition was made to the scope of the inquiry. The agencies established by this act constituted an improvement in some respects upon those previously existing; but they were still far from adequate to the gigantic task undertaken. In spite of all deficiencies, however, the United States census of 1850, and those of 1860 and 1870, which were taken under the same law, assumed monumental proportions, which became the admiration of all foreign statisticians. A close and critical examination of the results would doubtless have qualified this feeling in

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no inconsiderable degree; yet, when all was known, for good or for ill, it remained true that the statistics collected under the act of 1850 were, in amount and quality, highly honorable to a people so young and necessarily so crude, occupying so vast a territory, and enjoying so little of scientific and political education. In preparation for the tenth census, in 1880, a new law was enacted. Again there took place a large extension of the scope of inquiry; but this time agencies as nearly adequate to the work as the wisdom of those in charge could devise were freely provided. That law was substantially re-enacted for the census of 1890, and determines the present census system.

I have said that the necessary agencies for taking this great decennial inventory, which now embraces population, wealth, taxation, industry in all its forms, transportation, education, physical and mental infirmity, pauperism, and crime, have been freely provided by Congress. The only limit now to the usefulness of this great work is found in the limited ability of any one man to grasp so many subjects at once; to make fitting preparations for a canvass of a nation of such territory and population as ours; to build in a few months, from the ground upward, the entire machinery of enumeration; to raise, organize, officer, equip, and instruct an army of fifty or sixty thousand men for this service; to set them at work on the first of June, all over the country, from Maine westward to Oregon and southward to Florida and Texas; and thereafter to keep them at work, vigorously, zealously, unfailingly, to the full completion of this mighty task. The limits spoken of are not theoretical merely. It is a question if those limits—whether as to brain power or as to will power—have not already been reached and overpassed. The labor of organizing and energizing a census is such as no man can conceive who has not himself undertaken it, or, at least, stood close by and watched the machine in full operation. Aside from the question of the superintendent's intellectual ability to comprehend his work in all its parts, and to make provision for every foreseen occasion and for every sudden exigency of the enumeration, the strain upon the nerve and the vital force of whomsoever is in charge of the census is something appalling. My successor in the tenth census, Col. Charles W. Seaton, was

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literally killed by the work, and three successive chief clerks of that census died in office. The present superintendent of the eleventh census, Mr. Porter, was driven away to Europe by his physician last summer, while the work was at its height, to save his life. Taking a census of the United States under the present system, and upon the existing scale, is like fighting a battle every day of the week and every week for several months.

The reason for loading upon the decennial census of the United States such a mass of statistics, relating to so many subjects, many of them not necessarily connected with the enumeration of population or even theoretically related to it, has been twofold: first, the sparseness of settlement over large portions of the United States, making it exceedingly expensive to traverse the ground several times to obtain different classes of statistics, when, by crowding the enumerator's portfolio and the enumerator's brain, these might be collected in a single tour, though perhaps at some sacrifice of quality in the results; secondly, the real or affected doubts of certain politicians as to the "constitutionality" of establishing agencies, aside from the census, for conducting inquiries under "federal" authority, purely in the interest of statistics themselves—that is, in the interest of public intelligence, social science, and political education.

Either of these reasons would have sufficed to give the United States census its present form, if the other had not existed. Constitutional scruples would have probably existed on the part of enough congressmen in 1850 to cause the defeat of any proposition for the collection of statistics on a large scale, through a popular inquiry conducted by authority and sustained by legal penalties, if that inquiry had not been made an adjunct of the census expressly authorized and required by the Constitution. It is certain that by 1879 this sort of objection, arising from a paltry and bigoted construction of the Constitution, and from petty and disparaging views of the United States government which it is no longer possible for any intelligent citizen to maintain, had so far diminished that it would not have withstood the adoption of a better system, urged on statistical grounds. To-day, let us hope, we are enough of a nation to put aside consider-

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ations so unworthy, and to deal with the subject with reference to practical considerations only. As I have said in another place:

"It has become simply absurd to hold any longer that a government which has a right to tax any and all the products of agriculture and manufactures, to supervise the selling and making of 'butterine,' to regulate the agencies of transportation, to grant public moneys to schools and colleges, to conduct agricultural experiments and distribute seeds and plant cuttings all over the United States, to institute scientific surveys by land and deep soundings at sea, has not full authority to pursue any branch of statistical information which may conduce to wise legislation, intelligent administration, or equitable taxation, or in any other way promote the general welfare."

But even if we may consider as disposed of the political objection to pursuing statistical inquiry separately from the decennial enumeration provided for by the Constitution, what shall be said of the geographical objection once so formidable? It is, at the beginning, to be remarked that the sole ground of this objection is found in the greater labor and expense of traversing sparsely-settled districts several times, to collect different classes of statistics. Where population is compact, economy and efficiency are actually on the side of successive, or at least separate, enumerations. In a city, for instance, the effort of "getting about" is reduced to a minimum; and three, four, or five different enumerators, each dealing with a class of subjects with which he has, by special instruction and by frequent repetition, become more familiar, will do the work in less time, proportionally, than one enumerator undertaking to carry on the whole line of inquiry himself. Even in small towns and villages this would still hold. In rural districts the time spent in going from house to house constitutes so considerable a part of the whole period occupied, that an enumeration conducted by different sets of enumerators would necessarily be more expensive; but even in regard to this two things must be said: In the first place, the whole course of the national life has tended to reduce the proportion of the total population thus placed. At the beginning, in 1790, only 131,472 persons, or one thirtieth of the people, lived in cities of more than 8,000 inhabitants; in 1880 the residents of such cities numbered 11,318,547, or two ninths of the whole population. The relative importance of the city population of

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1890 was greater still. Were small cities, small towns, and villages included, and also densely-occupied agricultural districts, we should scarcely estimate the proportion of the population which could not be enumerated in the manner proposed without an appreciable increase of expense, at more than one half. To this half applies my second remark, namely, that the wonderful growth in the wealth of the whole country, in these later days, has made of smaller and smaller account the additional cost of collecting the various classes of industrial and social statistics through separate agencies, until to-day it is not worth considering in comparison with the advantages to be derived.

Those advantages are twofold. In the first place, by such a divorce of the census proper from the other statistics now taken in the census, the value of the latter would be greatly enhanced. Each class of statistics could then be taken in the time and in the way best suited to secure good results. One illustration of this, out of many that might be offered, I will select from the statistics of agriculture. The United States census is taken on June 1; but at that time the crops of the year are not harvested, consequently, it is the crops of the preceding year which are enumerated. The census of agriculture, therefore, in addition to all its other defects, starts out with being a year behindhand, and the statistics are musty before they are gathered. In Massachusetts, on the other hand, where the proposed separation of agencies has been effected with the best results, the statistics of agriculture are dated November 1, when the crops of the year are all in the barns, and the facts relating to them are fresh in the minds of the farmers. The second advantage which would result from the change proposed, would be found in the gain which the census proper would derive from singleness of aim and attention on the part of the census office and the enumerators; and perhaps, also, from a better temper on the part of the people.

It is only of the census thus constituted—that is, of the census in its original function as an enumeration of inhabitants—that I shall speak in the remainder of this article. Thus considered, we see at a glance that a census of the United States differs in its very conception from a European census. To exhibit this fundamental difference let us take the English census. Once in

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ten years, as with us, the English government makes an enumeration of the inhabitants of the Kingdom. The time chosen is the night of the second of April. On or before that day the enumerator must leave at each house within his district a family schedule, which calls for the name and personal characteristics—age, sex, color, occupation, etc.—of each person who on that night shall sleep in that house. The next day, namely, the third of April, the enumerator calls and collects the schedules. If, as so often happens, no one in the household can write, the enumerator acts as the friend of the family and fills out the schedule himself for them, upon the information that they give. Otherwise, he simply looks over the schedule as filled to see that it is properly made out, and "takes it up" on his rounds. Although all this is supposed to be done in one day, the enumerator, if necessary, can take a part of the second day for his collection; but every schedule has reference to the night of the second of April. If a man be travelling on that night, he is to be reported at the hotel or private house at which he arrives in the morning. Special arrangements are made for enumerating persons employed in caravans and circuses; people on canal boats and in ships at the wharves; janitors, porters, and watchmen sleeping in stores; tramps in the station houses and paupers in the casual wards. Even the poor wretches lying under the arches of bridges, on the pavements of public squares, or on benches in the parks, are, so far as possible, identified and accounted for. A great army of trained officials is at work and on the watch, to seize, momentarily to fix, and, as it were, to photograph the inhabitants of the whole Kingdom at the same time; and thus, so far as human skill and ingenuity can effect, to present a picture of the population.

A census of the United States is a very different thing. As in England, the census is supposed to be taken on a certain day —with us, the first of June—but the question regarding each and every man is not where he was on that day, but where, on that day, he had "his usual place of abode." And to record the inhabitants according to this definition the enumerator is allowed, not one day only, but many days—in cities, two weeks; in rural districts, one month. The most apparent reason for this differ-

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ence is the sparseness of settlement over large portions of the country. There are hundreds of thousands of square miles with us on which there is, on an average, but one house to the square mile. There are hundreds of thousands more on which the average is but two or three. Clearly, to organize a system by which the whole census work shall be done in one day, over vast, half-desert areas like these, would be an almost impossible thing.

But an even stronger reason for the difference indicated is found in the essentially political character of the enumeration with us. In Europe the interest is mainly statistical. Here the primary and principal purpose is to prepare for the redistribution of representation. Hence it follows that persons must be recorded, not where they chance to be at any given moment, but where they properly belong. By disregarding this consideration it might easily happen that a great city, like New York or Chicago, would gain fifty or a hundred thousand at the expense of other communities. There were days during the Centennial Exhibition of 1876 when Philadelphia would, according to the European system, have gained fully as much as the largest of these numbers. Such a result would justly be held a grave infringement upon the rights of the cities and States which suffered this accidental loss of population. In a word, a European census is an enumeration of the population *de facto;* and as the interest there is mainly statistical, this is the most satisfactory method, the results being the best that are humanly attainable. The United States census attempts a *de jure* enumeration of the people, and accepts a certain amount of error, statistically, as the price to be paid, since, whenever a definition of residence is introduced into the count, there is always a liability that a person may be taken in both of two places, or that between the two he may be left out of the enumeration altogether; nor is there any assurance that the omissions will balance the duplications. The tendency on one side may be two, three, or four times as great as on the other. The liability to error of one kind or the other is vastly greater in a city or a factory town than in a long-settled agricultural district. It is often greater in one town or city than in another; for example, in New York, where people largely reside in hotels, flats, or boarding-houses, and where in-

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termural migration is incessant, than in Philadelphia, where the people, to an almost unparalleled degree, live in their own houses, and where movement within the city is exceptional.

The liability to error in a census of the United States, as a whole, is to-day many fold what it was forty years ago. If one is disposed to ask why, let him consider not only the changes wrought in the proportion between city and rural populations in that time; not only the changes in city populations themselves as to their modes of living; but the astonishing dimensions to which the annual movement from city to country in May and June, and from country to city in October and November, has recently attained. Let him contemplate the great Summer cities which have been built up all along our coasts, the hundreds of hotels and boarding-houses among the mountains, the thousands of Summer villas along the rivers and upon the lakes, which are occupied only in Summer; and he will find no difficulty in accepting the statement that has been made.

To the professional statistician the only thoroughly satisfactory census is one which makes a *de facto* enumeration of the population at the very best time that can be taken for that purpose—a census that takes an instantaneous photograph of the people as they are at a given moment; but the political reasons which have given form to the United States census are likely long to prevent the introduction of such a style of enumeration among us. It may come about in time that the people, out of patience with the inevitable errors of the traditional census, and weary with the quarrels and recriminations between States and cities necessarily attendant upon it, will unanimously agree to waive the theoretical objections to the photographic method, as possibly, probably, and in some degree certainly, affecting unequally the basis of representation, and will accept the latter system as good enough for political purposes, and as vastly more satisfactory from all other points of view.

FRANCIS A. WALKER.

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RECIPROCITY—WHY SOUTHWARD ONLY?

ALL trade is advantageous to those engaged in its exchanges. It is profitable to him that sells and to him that buys. Without this reciprocity of benefit trade could not exist. The sum of its benefits is in proportion to the value of the articles exchanged, and depends upon the presence or the absence of obstructions in the way between consumer and producer. If obstructions, either natural or artificial, should prevent all trade, domestic and foreign, civilization would be extinguished and human life would go out with it. The converse also is true. If no obstructions, either natural or artificial, should exist, prosperity would touch its highest possible point, and civilization would attain its highest possible development. The mutual profits derived from trade are not restricted to any particular articles nor confined to any particular country. They are not controlled by degrees of latitude, of longitude, or of altitude. Trade is the same in the frigid, the temperate, and the torrid zone. It owes no allegiance to any king, prince, potentate, or power; and yet it is the surest and best supporter of all. It speaks a universal language which, like that once heard at Pentecost, is understood by every people in its own tongue. Wherever it goes—north, south, east, or west; at home or abroad—its message is "On earth, peace; good will toward men."

Many of our statesmen have been deeply impressed with the conviction that though trade at home is a benefit, foreign trade is an unmixed evil, and that to prevent it the oceans should be set on fire, and our sailors should all be hanged rather than be permitted to engage in this hurtful traffic. It is gratifying to see the relaxation of this ironclad idea, even to a very limited extent. This relaxation is one of the happy results of "the campaign of education," whereby the country is now thoroughly aroused. The Executive and the Department of State have impressed upon the attention of Congress and of the country the great

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importance of free trade, in certain articles, with Mexico, Cuba, Central America, and South America. They are thoroughly convinced that it would be mutually advantageous for us to take, free of tax, the sugar, coffee, tea, molasses, and hides produced in these countries, and for them to take from us agricultural implements, machinery, locomotives, steel rails, structural iron and steel, and railway cars.

This particular kind of reciprocity was intended to procure a market for "another bushel of wheat and another barrel of pork." It is a breach in the walls which have been so long erected around the home market. It was made necessary in order to quiet the discontent of the Republican farmers of the West, who, confronted with starvation, have become unpleasantly active.

When this change of base was resolved upon by the Administration, a provision to carry it into effect was sent to Congress, to be engrafted on the tariff bill. By this provision it was proposed to admit free of duty all products of any country in "the American hemisphere," whenever such country should admit our breadstuffs, provisions, and certain enumerated articles of manufacture on the same terms. But this was soon discovered to be rather too bold a display of the net in the sight of the birds. Too much prominence was given to locomotives, to steel rails, and to structural iron and steel. When the provision was incorporated in the bill, therefore, the specific language was changed, and it now reads, "agricultural and other products." Locomotives, steel rails, structural iron, and other articles of manufacture are concealed under the name of "other products."

This reciprocity with the southern countries is advanced for the benefit of our farmers, to open more markets for breadstuffs and provisions. If its advocates are sincere in wanting to find larger markets for agricultural products, why do they not move for reciprocity with Europe instead of with South America? Europe takes from us more than $600,000,000 in agricultural products yearly, which is sixty times as much as the southern countries take. If reciprocity with South America would increase our exports 50 per cent.—and it probably would—it would open a market for $5,000,000 more of farm products, and similar

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results, following from reciprocity with Europe, would increase our exports of farm products by $300,000,000. Now, if the farmer is the person to be benefited, we must look eastward, not southward, for markets. The best markets for farm products are not to be found among agricultural, but among manufacturing, mining, and mercantile communities. A nation of farmers offers the best market to manufacturers, and it is for that reason that reciprocity with the agricultural countries of the South is so earnestly sought. The "other products" will get the benefits, and the farmers, as usual, will receive all the compliments of the season. We are able now to produce an annual surplus of agricultural products, valued at $1,000,000,000, but we could not find a market for it in the countries of the western hemisphere if we should have full reciprocity with them all. It is not to the 50,000,000 shepherds and farmers to the south of us, but to the 300,000,000 shopkeepers to the east of us, that we must look to consume our surplus farm products. While the Administration is pressing for free trade with the South, it is pressing equally hard for no trade at all with the East. Fifty millions of farmers south of us, keeping up a protective tariff against all other countries, and letting in our manufactures free, would open markets for the consumption of many millions of our manufactures, and would add millions to the fortunes of the makers of locomotives, steel rails, and structural iron; but the benefits to the American farmer would not be perceptible.

If our neighbors to the south of us could be induced to keep up their tariffs against the manufactures of all other people and to admit ours free, our manufacturers would get the benefit of their protective duties and would plunder their people as mercilessly as our own are now plundered. The proposition for reciprocal free trade between them and us is a proposition to extend the protective system of our country over theirs. It is a proposition to them to give up the revenues that they raise by duties on imports, and to permit our manufacturers to collect such revenues for their own private benefit. Mr. Blaine, from the beginning of the agitation, had this object in view; and when his party friends hesitated to accept the new departure, he was compelled to tell them that it was not free trade at all, but protection, whose area

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he was extending and whose hold he was strengthening. The cry, "Home markets for home products," has been abandoned by protectionists, and they are now demanding foreign markets for home products; but they refuse the home market to those foreign products that our people want.

Our best markets will be found among people who want agricultural products and who can give us what we want in exchange for them. Of all our exports, 75 per cent. are agricultural products, and the proportion has been as large as this through our whole history. Our foreign trade must depend upon the markets of those who do not, and not upon the markets of those who do, produce these articles at home in sufficient quantities to satisfy their own wants. We should enlarge, as far as we can, all markets for all products, and not lock up our agricultural products while throwing wide the gates for the export of manufactures. Moreover, in all things we should deal frankly with the people. We should not call a steel rail a bushel of wheat, or a locomotive a barrel of pork. The markets of the South would be very valuable to our manufacturers, and we ought to do all we can to secure them; but we should not secure them for the benefit of monopolies, but for the benefit of all our people. The right way to secure them is to produce our goods at less cost and to carry them and offer them for sale. We can produce them at less cost by removing all taxes from the materials that are used in making them. This policy would open the foreign market for our goods and enlarge the domestic market; for our best market is the home market, and it is a good or a bad market just in proportion to the amount and value of the surplus that we export. Our prosperity depends five times as much upon our exports of agricultural products as upon our exports of manufactured products, and the benefit to the farmer of free trade with the southern countries would be practically nothing. It is the interest of the protected manufacturer that points southward. The interest of the unprotected farmer points eastward. We must open wider the markets of the East for our farm products, or our farmers will sound a still greater depth of distress. The Administration asks that the markets of the manufacturer shall be expanded, but that the markets of the farmer shall be contracted. Wise statesmanship asks

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that all markets be enlarged, and that every obstruction to trade be removed at every point of the compass; that no burden, except taxation for the support of government, shall be imposed on any article; and that, when it is imposed for revenue, it shall be placed on such articles and at such rates as will, with revenues from other sources, be sufficient to support an honest and economical administration of government with the least possible disturbance of private business.

If reciprocity with one country is good, reciprocity with another country also is good; and there can be no sound reason for enlarging our trade with the countries south of us that does not apply with greater force to the country north of us. Our northern neighbors number only five millions, and those south of us number fifty millions; yet we export to the five millions almost as much as we do to the fifty millions, and if all restrictions on trade between Canada and the United States were removed, we should almost double our trade in one year. The Canadians stand on the same plane of civilization that we do; they speak the same language, have the same history, and possess almost the same political institutions. In the productiveness of their labor they are almost our equals, and they are very far ahead of our southern neighbors. They can easily produce $100,000,000 worth of surplus products which we want, and for which they would take with profit an equal value of our surplus products. Why, then, should we not have reciprocity with Canada? All trade is carried on for profit, and there is ten times as much profit in a trade of $100,000,000 as in one of $10,000,000. Canada takes from us more than $15,000,000 worth of breadstuffs and provisions annually, while the southern countries take less than $10,000,000. Why not open negotiations northward for "another bushel of wheat and another barrel of pork"?

But after all our efforts to secure reciprocity with the people of the western hemisphere shall have been crowned with the fullest measure of success, we shall have advanced but little from our present position. Our exports of agricultural products are worth more than $600,000,000, and ought to be worth $1,000,000,000. To find markets large enough to consume our surplus, we must look to the crowded populations of the eastern hemi-

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sphere. We should direct our negotiations toward the governments of England, France, Germany, Belgium, Austria, Italy, and the other countries of Europe. We should lower our barriers against trade and then urge them to lower theirs. A reduction of our duties on foreign goods to 25 per cent. would double our trade in both imports and exports, and at the same time would bring to the treasury all the revenue the government would require. But instead of lessening duties so that our people might buy cheaper foreign goods and might pay for them with more bushels of wheat and more barrels of pork, Congress, backed by the Administration, has raised the duties to check imports and thus to make it impossible to enlarge our exports of agricultural products. All our industrial prosperity is based on the prosperity of our agriculture. By utilizing all the improvements in labor-saving machinery adapted to the farm, we are constantly increasing our surplus. What shall we do with our surplus breadstuffs, provisions, and cotton? Free trade with all the Americas and with the adjacent islands cannot consume a tenth of them. Two plans have been proposed by American statesmen to find a market for their consumption: one is to export them and to take in exchange the surplus of other nations, which these nations are anxious to give and which our people are anxious to take; the other is to keep the surplus at home and to import people enough from other countries to consume it.

The Finance Committee of the Senate in 1888, in its report on the tariff bill, showed that its members were expert scholars of our home-consumption philosophy. They assured the wheat-growers of the West that the production of wheat for exportation is unprofitable; that we cannot produce it in competition with India, South America, Australia, and British North America; that they must look to "an enlargement of the certain and remunerative home market"; and that this enlarged home market can be had only "by increasing the number of people engaged in other than agricultural pursuits." What a stupendous stroke of statecraft! It fairly blinds with the brilliancy of its conception. If we look to our annual reports on foreign commerce, we shall see that we are exporting wheat at a lower price than any other country on earth. We sell it more cheaply

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because we produce it more cheaply, and competition presses the market price down constantly toward the cost of production. The cost of producing a bushel of wheat in this country does not exceed forty cents. There is scarcely any competing country where the cost is not twice as much, if consular reports are to be credited.

But if, instead of exporting our wheat, we import people enough to consume it here, this fascinating problem is presented: How many people will it take to consume our surplus wheat? We grow now 500,000,000 bushels per annum. Five bushels per head will supply our home consumption; 320,000,000 bushels will amply satisfy that demand. This will leave a surplus of 180,000,000 bushels. We must import people enough to consume this, at five bushels per head. That will require the importation at once of 36,000,000 people! It is no argument, of course, that 36,000,000 people have not immigrated to this country in the last three hundred years. There has been no emergency heretofore requiring such an influx of population. That emergency is now come. We must have them, and, as Senator Aldrich says in his report, they must be people who are to be engaged "in other than agricultural pursuits." It was perfectly evident to his mind that if farmers were imported they would make the surplus larger instead of consuming it. Our census shows that one third of our people are engaged in gainful occupations, "other than agricultural pursuits," and therefore probably one third of those imported will be engaged in such occupations. Twelve millions of them must, therefore, be laborers in manufactures, mining, transportation, and indoor employments. More than one third of the twelve million must be engaged in manufactures. Our four millions of operatives make $7,000,000,000 worth of products. Four millions more will bring the total up to $14,000,000,000. We can consume only $7,000,000,000 worth, and the immigrants would consume only about $2,000,000,000 worth. What are we to do with the rest? We cannot export it, because the tariff on raw materials shuts it out of the foreign market. Finding no market, either foreign or domestic, the production must stop; the immigrants must starve and the wheat-growers must go without a market. Their surplus loses

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its value. They stop buying goods; and manufactures, mining, and transportation are stricken with paralysis.

How will this principle work when applied to cotton? Our crop is 3,500,000,000 pounds. We consume at home, in round numbers, 1,000,000,000 pounds, and export 2,500,000,000 pounds. Our consumption is 18 pounds per head; the English consume nine pounds per head; the people on the continent of Europe about five pounds per head. To consume our 2,500,000,000 pounds of surplus would take the people of England, Scotland, Wales, and Ireland, all the people on the continent of Europe, all North Africa, and more than a tenth of Asia. And all this immense movement of population is to take place at once. The surplus is here and must be consumed, and as Mahomet refuses to go to the mountain, the mountain must come to Mahomet. In order to see and comprehend the beauty and beneficence of this scheme, it must be borne in mind that not one of the vast industrial army is to be a farmer!

Such are the absurdities of arguments that are made to circumvent the laws of nature. The law of development demands that we trade with all parts of the world, and that our trade keep pace with population and production. Production is outstripping consumption in all branches of our national industry. We must export our surplus and receive its value in the surplus of others, or it must rot on our hands and bring us no value. To emancipate the people is the duty of American statesmen. Unfortunately for the country, Congress is riveting their fetters more closely. Instead of making laws to deprive the people of the right of representation, our law-makers should busy themselves in removing all commercial obstructions, and should enable us to cover the oceans with fleets of merchantmen, carrying rich cargoes from the granaries and workshops of American laborers, and exchanging them in all the ports of the world.

ROGER Q. MILLS.

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SPAIN A DEMOCRATIC NATION.

FEW nations in the world are so democratic in their history as the Spanish nation is; but at the beginning of this century, the century of creative revolutions, none was so oppressed, not even the recently-dismembered Poland. Excepting the Basque Mountains, whose peaks and passes stopped both foreign invader and domestic tyrant so effectively that their inhabitants could continue under republican institutions, the nation had been reduced to such a state of weakness that kings, come from abroad through the accident of inheritance, could dispose of its territory and its laws as the ancient despots of the Asiatic continent disposed of their lands and their subjects. The people who had founded the Pyrenean democracies, so steeled by liberty that they were able to defy the Roman Cæsars and the Germanic Carlovingians; the people whose almost prehistoric municipalities are as firm to-day as the granite foundations of their native land; the people who possessed the Cortes of Castile and Navarre, the parliaments of Aragon, Catalonia, and Valencia; the people who dictated the Charters of Leon and the Aragonese customs and traditions before the British barons imposed Magna Charta on John Lackland—the Spanish people, within whose bosom the national soul was condensing, like the vapors of the air in an ocean storm, became so enfeebled as to allow the wizard Charles II. and the imbecile Charles IV. to bequeath or to grant to the conqueror and the foreigner, as if it were a private landed estate, the nation created by the sacrifice of so many martyrs.

Our own generation has seen a king like Ferdinand VII., comparable only to Nero and Caligula, and stained by all sorts of crimes; the clergy holding the national wealth, the greater part of which consisted of inalienable estates and uncultivated tracts of land surrounding churches and monasteries; generals like the Frenchman who was wont to hang a dozen patriots in the morn-

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ing whenever he felt so inclined, and who danced the Castilian dance in the sunshine while his victims writhed in horrible agony; dungeons so filthy that their prisoners chose a voluntary death in preference to life in such hells; hunting parties organized to shoot Liberals like wild beasts at the road crossings and on the streets: the terrors of ancient Cæsarism added to the terrors of religious war; spies, with ears ever attentive, following the citizens like their shadows; executioners at the doors, threatening all the members of a family, even innocent babes, that the new generation of patriots might die in the cradle; honorable women, the wives or mothers of "innovators," led through the streets on asses, to the sound of the drum, as if they were prostitutes, and even sent to the scaffold and decapitated for having embroidered banners of liberty for good men; confiscation of property, banishment, the extermination of a whole party—in short, whatever has stained the annals of humanity or tormented a people in the chains and racks of unbridled absolutism.

As the present generation came into the world amid such horrors, it befits us to take them into account. But we have been completely transformed; from an enslaved people we have become a free people. And it is natural that public opinion, seeing so profound a change, should investigate its causes, not only for the enlightenment of the intellect, but as an example in life. We explain with great difficulty events that we have witnessed, and, above all, those in which we have been actors. In order to observe clearly any period of history we must recede a little, so that it may stand out in perspective.

According to a well-known hypothesis as to the formation of the universe, the coldest and most inert stone was once an impalpable gas. So, in the formation of human societies, we see successive condensations of ideas. Nothing is so impalpable, nothing so ethereal as the idea, and yet nothing carries within itself so much life. A series of progressive institutions cannot exist unless it has been preceded by a series of progressive ideas, just as the condensed nuclei of worlds and of suns would not have existed if a diffuse, ethereal, radiant matter had not first existed in unfathomable immensity.

We can thus say clearly that, thanks to the power of an

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idea, Spain is a true democracy, and a free and progressive democracy, at the moment in which these lines are written; for, though we see in its bosom two such historical and privileged institutions as an hereditary monarchy and a state church, their influence, compared with what it formerly was, is hardly perceptible in the luminous inundation of new ideas. A people that has a written constitution by which it can always preserve its sovereignty, its liberty of thought and belief, freedom of the press, a sacred and inviolable home for every citizen, a popular jury system, and universal suffrage, can well be called with pride a true democracy, notwithstanding the fact that some irresistible fate imposes upon it a few contradictions arising from the laws of nature and of history. We shall ultimately overcome these contradictions by the strength of our will and the nobility of our ideal, two forces that cannot fail to be irresistible, though their development may be gradual.

But what are the lines followed by this ideal? How does it pass from the mind to life? How is it condensed into social forms and crystallized into institutions? We know external phenomena much better than internal ones. Those psychological objects that are nearest to us escape our investigations on account of their very proximity to the faculties which study and analyze them. It seems as if they were inflamed and dissipated by so much light. Through the solar spectrum we know of the atoms in the star Sirius, but there is no instrument that can analyze the various shades of a subjective ideal. We know that storms lighten and fulminate by the shock of two contrary electricities, but we do not know that revolutions do something similar by the clash of two contradictory ideas. Every student knows to-day how the oxygen exhaled by plants serves for animal respiration, and how the carbonic acid exhaled by animals serves for vegetable respiration; but religions, as a general rule, do not know how philosophies have helped them, nor do philosophies realize how much they are indebted to religions. The ellipses described by the heavenly bodies have been determined by mathematical calculation; but not even by means of probabilities shall we be able to guess the ellipses described by ideas on the firmament of our souls. How the rays of the sun extract

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sweet vapors from the bitter sea; how these vapors ascend to the air and condense in drops; how these drops descend to the ground and soak it, thus fertilizing the seeds in the field, we are taught by physics; but we are not taught by psychology how spiritual thought follows an analogous path from the abstract and theoretic to the concrete and real. The logical phases of the ideal, however, are so knit together that their historical results follow one another in unbroken sequence.

We speak of the French revolution, of the Spanish revolution, and of the American revolution, as if they were isolated and sudden movements, like the earthquake which suddenly terrifies a region and buries in an instant its unwarned inhabitants. But every revolution is a series of revolutions. Observe the genealogical tree of revolutionary ideas. First we had a revolution in time—we call it the Renaissance—in which history was rounded by the reappearance of the Hellenic world, long plunged in oblivion; after this there was a revolution in space, caused by the geographical discoveries of the Portuguese and Spaniards; after these revolutions in time and space came a revolution in feeling, through the new æsthetics that cut the stones of Santa Maria dei Fiori, and carved the doors of the baptistery of Florence, and raised the dome of Saint Peter's in Rome, and gave splendor to the halls of the Vatican and the Sixtine Chapel with the figures created by Raphael and Buonarotti; after this revolution in æsthetics, came a revolution in the domain of conscience through Luther; after this, a revolution in the understanding, through philosophy personified in Bacon and Descartes; then one in common sense through the Encyclopædists, and finally one in the popular will through the Conventions. A revolution, therefore, which at first sight seems to have sprung up singly and suddenly, may prove to be a corollary of all preceding revolutions.

Royalist Spain began to be changed into democratic Spain during that half century of universal revolution which began with the advent of Louis XVI. to the throne of France, and which ended with the calamitous Bourbon restoration. It is true that the Spanish nation, absorbed during three hundred years in the work of christianizing the new world, had remained behind on the way of progress in the old world. Our country, engrossed

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in this important work, from which her star, whether for good or ill, had decreed that no other occupation should divert her, opposed with all her might the progress of the reformed churches, the canons of the new international law promulgated in the peace of Westphalia, and even the French revolution; because she was obliged to have the monarchical and the Catholic principles to serve as nuclei for the governments she was founding all over the globe, and as guides or beacons to lead her emissaries and representatives over seas never before plowed by European keels. Stationed as we were in the West and constrained to christianize the new world, the fate befell us that befell ancient Rome as soon as her conquests transcended the limits of Europe —we had to sacrifice, as a tribute to our discoveries, the blood of our veins and the liberty of our spirit. Over the virgin forests on the unexplored shores of the Mississippi and the Amazon, passing through dangerous straits in sight of the Southern Cross, multiplying, by continual discovery, continents and seas on our planet and suns and constellations in the heavens, that innumerable band of mariners, soldiers, and missionaries needed two moral guides in order not to be led astray in their Titanic efforts; and these were the monarchy and the church.

Thus, somewhat separated from the intellectual movement which was transforming ancient religion into modern philosophy, and from the political movement which was undermining the absolute *régime* and replacing it by the democratic, we came, half a century later than our French neighbors, to those revolutionary eruptions whose heat changed the old absolute states into parliamentary and constitutional nations. Far from wondering at the delay of Spain, as some superficial minds are wont to do, we ought to marvel at the promptness with which we embraced the modern spirit, swallowed up as we still were by the results of the colossal civilizing work that had been initiated and carried out under the guidance of the old principles. Therefore, the hatred manifested by all the Huguenot writers from Guizot to Michelet toward the work of Spain, does not seem to me to be just, since in such a work the two principal and irresistible factors were space and time; that is, our peculiar geographical position and our historic traditions. But Spain, which preceded many na-

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tions in other epochs of universal life, which was the first to impose the culture of the Latin empire on the barbarians of the North, which took the lead in transmitting the laic sciences of the middle ages to convents and other theocratic institutions, in organizing the municipality, and in giving the people access to the Cortes, which possessed an encyclopædia of all human knowledge as early as the thirteenth century, when other nations were a prey to superstition—this land had to remain behind when, in the sixteenth century, the modern age began, for the reason that her own greatness had enjoined on her a survival of historic institutions which were incompatible with the general progress. The writer cannot but bless this delay. Thanks to it, he has been enabled to join his name forever to the triumph of these three progressive principles: full liberty of conscience and of thought, the abolition of slavery, and universal suffrage.

Spanish democracy is the outcome of two similar revolutions in the present century—that which the infamous war of Bonaparte against our independence brought about in the year 1808, and that of 1868, which completed and crowned the first. The French Encyclopædists had already entered Spain, founding, by the natural radiation of their ideas, a school of thinkers which propagated those ideas and a school of great statesmen which applied and practiced them. Thus, the Spanish revolution resembled the French in having a long intellectual preparation and in having been begun by books and served by governments. When, in the middle ages, the bloody strife began, there was an unavoidable necessity of combating the armies of feudalism and those of theocracy. In order to oppose the first, kings devised the standing army, which they put entirely in their own control. In order to fight the armies of theocracy, these same kings obtained, more through force than through persuasion, the total suppression of the Knights Templars. Without intending it or suspecting it, they thus paved the way for the religious revolution.

Something similar to this happened in the last century. The kings were desirous of making their civil power absolute, but saw two obstacles—those very political organizations that they had instituted as councils, and the Jesuits whom they had revered during the religious revolution. Thus, the first thing they at-

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tempted to do was to absorb the encyclopædic ideas and to personify them. From this personification came the philosopher-kings. And these philosopher-kings, completely putting aside their old advisers, gave the direction of their states to prime ministers, who were almost absolute, or, at least, partakers of the absolute royal power. The names of Pombal, of Choiseul, of Aranda will bear witness to the truth of this; and those of Charles III. of Spain, of Catherine II. of Russia, of Frederick II. of Prussia, of Leopold of Tuscany, and of Joseph II. of Austria, will confirm what I have just said concerning the philosopher-kings and their revolutionary influence, especially among Catholic nations. The permanent army of the Catholic power, the order of the Jesuits, fell by the decrees of such kings. And these pillars of the old intellectual *régime* once broken, the old political *régime* fell to the ground with them. Thus, long before the revolution was an established fact, the very power that was clearing the way for it began to be attacked. In Prussia attacks were made everywhere on the great, but philosophical and revolutionary, King Frederick. The Pope saw such adverse signs in this upper-class revolution, that he told Joseph of Austria that kings would soon be guillotined by the men they were emancipating. In Spain, Charles III. appears as the Constantine of the Encyclopædists and the Julian of the Jesuits. His orders of expulsion recall the worst acts of the Roman proscriptions during the terrible times of the triumvirate. And, not satisfied with this, he applied to civil laws and institutions as many principles as he could of the fashionable philosophy. But his royal orders, his implacable hatred of Jesuitism, his whole political system, demonstrated the dependence of the old absolute *régime* on the old religious *régime*. The great struggle between the jurists and the Jesuits—the former being desirous that the social supremacy should belong to the kings, and the latter, that it should belong to the popes—terminated in favor of the former. Aided by the active Encyclopædists, Charles III. banished the Jesuits. Then the people began to attack the kings—timidly at first, in riots and mutinies brought about by trifling causes; more resolutely afterward, disrespect turning into insult and outrage. The ancient monarchical power

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had disorganized itself by its acceptance of the philosophical ideas, and had sown unconsciously the seed of the Spanish revolution.

A most grave event was to crystallize all these ideas into multiple institutions. That event was our war of independence. We were combating the invading foreigner and revindicating the sovereignty of the people. In opposing Napoleon the Great, who threatened with his legions the existence of Spain, we re-established, not only the independent existence of our country, but liberty and law as well. From time immemorial, democracies have developed in periods of foreign invasion. Just as all Christian churches have a *Te Deum*, in which they praise God and his providence, so all free nations have a *Marseillaise* in which we find, mixed with lyric strains in praise of liberty, a cry of horror of the foreigner. Our fight with Bonaparte for independence can hardly be equaled in the future. The most depressed of the nations of that time, without treasure, without an army or a navy; sold and betrayed by her kings; her doors wide open to the invader, in whom she believed she would find a brother, but in whom she found only an enemy; her fortresses occupied by treason and perfidy; her capitol held by a garrison of invaders; confronted by the greatest captain the ages had ever known, and having nothing with which to oppose him but fragile houses, naked breasts, women's curses, pikes cut from trees, flames from the hearth, stones from the roads, and what was left of a decimated population—Spain nevertheless succeeded in terrifying Murat at Madrid, in driving back Moncey from Valencia, in defeating Dupont at Bailen, in disarming Lefebvre at Balmaseda, in disconcerting Napoleon himself in Chamartin, in stopping Ney at San Payo, in expelling Soult from Galicia, in compelling Massena to leave Salamanca, in eclipsing the marshals called by Europe the planets of the sun of battles, in sustaining sieges like those of Saragossa and Gerona, in holding mountain passes resembling that of Thermopylæ, in improving armed corps like those raised by Mina and Merina, which would have astonished Leonidas, in supplementing the most scientific tactics by a popular warfare whose successes were incomprehensible to the very men who employed it, because they were due to sudden inspirations of genius. See-

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ing all this, we believe that there is nothing that the will of a people cannot accomplish when it resolves to sacrifice everything for liberty and native land.

By the side of these wonderful military deeds, we saw a moral spectacle that can never be sufficiently admired—the spectacle of the sovereign Cortes of Cadiz assembled by the impersonal call of the nation in the midst of pestilence and invasion, declaring the modern principle of national sovereignty and adopting a constitution so democratic that it was afterward invoked by all liberals in their efforts for emancipation, from the revolutionists of Genoa and Palermo to the patriots of Greece.

But the revolution that gave us the immortal Code of 1812 was followed by the reaction of 1814. The same infamous King Ferdinand VII., whose diadem the Cortes kept in its possession to save it from the dishonorable cession made by him at Bayonne and also from the Napoleonic invasion, which he himself had countenanced, violently closed the Cortes, and persecuted the immortal founders of our liberty like wild beasts. The stern law of reaction was fulfilled in Spain with horrible fidelity. As the heavenly bodies pass from aphelion to perihelion, as the seas ebb and flow, as the seasons turn from fruitful autumn to desolate winter, ideas converted into institutions pass from revolution to reaction in recurring phases that undoubtedly obey objective laws. But reactionary ideas pass, while progressive ideas persist. After the reaction of the year 1814 came the revolution of 1820. The vitality of the progressive principle was never before shown as it was then. An army that six years before had helped the crowned executioner, threw from its bayonets the spark of a redeeming revolution, and this spark did not stop in Spain; it galvanized Greece, moved Piedmont and Sicily, and even liberalized Portugal.

But the revolutionary idea was then in its state of diffusion, brightly shining and radiating ; it had not reached the less brilliant but more lasting and solid period of condensation and consolidation. After three years of democratic government we receded once more, owing to the inexperience of the Liberals, the perversity of the reactionists, and the deadly influence of the despots, who sent a hundred thousand soldiers of the French

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Bourbons to restore absolutism in Spain. The horrors of this reactionary period, which began in 1823 and lasted till 1832, exceeded the horrors of 1814. The greater part of the Liberals was horribly oppressed; another part was banished; a third part was completely exterminated. The generals who had been the most illustrious figures in our war of independence were mockingly led on carts and in cages, like the animals of a menagerie, and then killed by Royalist mobs. And still, O changes of fortune! the dying Ferdinand VII. repeated, in reference to the Liberals, the words attributed by tradition to the apostate emperor in regard to the Christians: "Thou hast conquered, Galilean." And, indeed, those terrible reactionists, having grown strong under the safeguard of reaction, rose against Ferdinand VII., influenced by his elder brother Don Carlos, to whom the ruling despotism seemed not sufficiently theocratic, that is to say, not sufficiently reactionary. At the same time, the tyrant married, in his old age, a princess of Naples, who boasted of liberal ideas, and the fruit of their union was the future Queen Isabella, to whose rights as a daughter her uncle Don Carlos opposed the ancient Salic Law, which excluded women from the throne. Hence arose the war that we ought to call our war of succession, but which we have named the Seven Years' War, because it lasted from the beginning of 1833 to the beginning of 1840.

In the name of a child queen, and almost in the absence of monarchy, we were able for a whole decade to exercise the government of the nation by the nation, which had been begun by the Constitution of Cadiz, but had been subjected to long eclipses, as we have already seen. The regency, which governed in the name of Isabella II., passed from Christina, the queen mother, to Espartero, a popular general, and a constitution by royal grant, in which royal power predominated, gave place to a constitution discussed and sanctioned by the Cortes, in which parliamentary power was predominant. The promulgation of a very liberal code by the government, and the establishment among the people of what we might call a new social order, produced a most radical change. The abolition of secular vested rights, and of the mortmain of ecclesiastical patrimony, gave to the emancipated classes the enjoyment of property; the

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principles of the fundamental code and the exercise of legislative power by both chambers insured to the nation its full sovereignty. After her long minority came the true reign of Isabella II. The Cortes allowed her a few of the years during which she should still have been under regency, and she entered upon the plenitude of her authority in 1844. But she acted toward the Liberals as her father had acted toward the patriots. The latter had defended Ferdinand VII. against Napoleon; but this wicked tyrant exterminated them with more fury and bitterness than the conqueror would have done. The former defended Isabella II. against the partisans of Don Carlos during seven years of fierce civil war; but the queen favored the principles and the partisans of Don Carlos as much as her own traditions and the spirit of her time permitted. The reign of Isabella II. proved to be a dark night of reaction occasionally illumined by the lightnings of revolution.

At last the law that reactionary ideas are always transitory, while revolutionary ideas are always permanent, was fully exemplified. The generation to which I belong turned in anger against the hypocritical absolutism of Isabella II., and resolved to end it. In this undertaking we certainly did not suffer as long as our fathers had suffered under Ferdinand VII., but at times we suffered as intensely. We conspired in the long preparatory period of the revolution, and we fought in the outbreak itself, as the martyr generations had conspired and fought in their time. Many of our efforts were dashed to pieces against unconquerable fate. As a consequence of such a purpose, and of the partial failures that followed it, we went into exile like souls in purgatory, and saw our names inscribed on death-warrants. Spain fell once more into absolutism. But this reaction served only, in the long run, to demolish the throne of Isabella II. The intensity of reactionary violence finally up-rooted the monarchy, an institution that had lasted since the time of Augustus, the oldest of all our institutions except the municipalities, and much older than our church, which did not have full sway over our people till the seventh century of the Christian era.

In the midst of the revolution we cast forth the germs of new ideas, utterly heedless whether they fell upon the stony

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ground where they could not bear fruit, or on the flood that might sweep them to the profound abyss without profit. God had granted the apostles of the Spanish revolution the same gift that he had bestowed on the apostles of the *Cenaculum*—the precious gift of tongues. In that great assembly of the revolution, all the members displayed upon their brows the flame of the ideal, and from their lips came forth a word as divine as the creative word—the word of liberty. In order to sow so much and to put ourselves, in a short time of incessant creation, on a level with the foremost nations, we were forced to exhaust our spirit; and in order to implant all those ideals in our soil, we had to furrow it deeply. God alone could create the universe without pain, by the mere breath of his lips, by the mere echo of his word. A creative generation like ours must be an unhappy generation. Among the various forms of government that might be deduced from the principle of national sovereignty, we looked for anchors for our liberties, and lo! we could not find them. The democratic monarchy and the radical republic failed in this work of carrying out the new ideas, and another reaction came. On December 30, 1874, we saw a dynasty similar to the one that we had expelled on September 30, 1868, restored in the person of Alfonso XII. As soon as the dynasty returned to the throne, I went back to exile; but this time it was a voluntary exile.

Then I withdrew within myself and resolved to restore all we had lost by that reaction. To do this, I realized that it was necessary to change our methods. During the revolution, we had acquired a revolutionary temperament; it behooved us to throw off that temperament and to accommodate ourselves to a slower but surer method—that of evolution. Revolutions are like wars, after all; and in wars we can forge heroic warriors, but we cannot educate good citizens endowed with that juridic conscience and that respect for the law that the moderate and legal exercise of liberty demands. The most progressive thoughts gleaned by modern science had been sowed in the furrows opened by revolutionary force; but an extreme reaction had hidden them under its deep frost, and it was necessary not only to wait for the thaw, but to get ready to look carefully after their roots, their stems, their flowers, and their fruits, convinced that

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no individual human strength could hasten the time of their inward development. A habit contracted in the times of our conspiracies and our combats had inclined us to prefer the conquest of the state through revolutionary violence to the conquest of public opinion through a continued and pacific apostolate. Society has its physiology. Organs that are not exercised become atrophied and disappear. A people that needs self-government, but unlearns or forgets the pacific exercise of legal forms, finally contracts a sickly temperament under which it passes from revolution to reaction, and from plebeian dictators to absolute kings, with sudden changes of internal temperature, fatal to its life. The first day of the restoration, I saw that it was perfectly possible to restore all the democratic principles and the government of the nation by the nation, on condition that we, looking about us with true circumspection, should agree to grant to the conservative parties all that which no human force can oppose, and which must be recognized as necessary to a certain social period.

Thus, I declared that in politics I placed law and order above all else. And having said this, I added that while bound by restricted laws, I intended to work for liberal laws; within these laws, for other laws still more liberal; and within these more liberal laws, for the most liberal, without ever deviating from strict and necessary legality. I acknowledged that laws should be improved, but in a lawful manner. I said that in order to define ourselves, we ought to limit ourselves, never going beyond what was possible and demanded by our great social aspirations. Provided each Spanish citizen could be as free within his home, and in the exercise of his individual rights, as the citizen of the United States, and that all collectively could govern themselves through their own chosen representatives, we ought not to be shocked by the contradictions left in the state, nor obstinately to insist, as of old, on having all institutions logically systematized and made to correspond to the ideal in a single minute; inasmuch as contradictions analogous to those we lament exist in countries as free as England.

With these practical ideas, the motors of most tenacious purposes, I entered the first parliament of the restoration, chosen

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by the electors of a city traditionally democratic—the noble Barcelona. I was alone in Congress. Of all the historic Republicans, I was the only one who had reached so high a place. At the first session in which I rose to speak within that hostile body, the flight of an insect could have been heard in the place, full of reactionary representatives, among whom some bewailed the old Catholic unity broken by my efforts, others their slaves, emancipated by my government, and still others the monarchical sentiment, rooted out of the country by laws and institutions to which I had given my voice and vote; and none of whom was without some wound in his interest or in his faith. But noticing how those enemies, in spite of their hatred, listened with attention to what I said, I told them how I, shipwrecked by civil discord, though finding unfriendly shores whithersoever I turned my eyes, accused no one in my misfortune, but on the contrary, appealing to all by my teaching and my example, proposed to restore, without violence, the democratic principles that seemed crushed under the overwhelming weight of the restoration.

Nearly fifteen years have passed since I uttered such words, and what I then promised has been fulfilled with the greatest exactitude and fidelity by the methods to which I have alluded. When we compare what our Spain was under the above-mentioned Congress with what she is to-day, the realization of so much practical progress and the harvest of so many democratic ideas seem like a dream. A cruel proscription was then weighing upon the Republican professors who had been deposed during the revival of religious intolerance. These professors occupy their chairs in the universities to-day, because the liberty of thought and faith has been recognized, in accordance with the dictates of reason and of conscience. Trials were then held secretly, as in inquisitorial times; justice now seeks the light, giving greater security to the citizen. We then depended on tribunals which themselves were dependent upon the government; popular jury trials to-day give back to the people the foremost of all sovereign attributes—the administration of justice. Our party, called factious by the public power, and as such persecuted, was then declared illegal; to-day, Republican doctrines can be preached in the light of day, and will be carried out,

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when the nation shall hold it fit, within the bounds of legality. Meetings then could be held only through the tolerance of the government; now we assemble because our right to do so is acknowledged by the law. The Minister of the Interior then had the sole power of granting permits to publish newspapers, and he subjected journals to capricious suspensions and suppressions. To-day, any Spanish citizen can found a paper without making a deposit or giving the name of the responsible editor; and the excesses of the press are restrained by ordinary penal legislation and punished by public conscience and public opinion. The epithet "factious," applied to our party by the reactionists, naturally brought with it the prohibition of our organizing committees and of our open-air demonstrations. But, thanks to a law passed by the last Cortes, all committees, to whatsoever party they may belong, can now exist at their own pleasure in permanent activity, can institute chairs of political propagandism, and can hold debate upon all imaginable themes without danger of being molested, so long as they do not commit transgressions punishable under the code. Even the decree for the abolition of slavery met with restrictions in the subsequent institution of patronship. Among the glories which liberal congresses will present to the judgment of posterity, numerous and great as they are, the extirpation of patronship will stand out, for by means of it slavery was rooted out of our land.

The only thing wanted to complete all this marvelous evolution was to extend to all the privilege of voting, formerly enjoyed by a few. Universal suffrage, promulgated in June, 1889, makes Spain a complete democracy—a free and parliamentary democracy. In the exercise of all individual rights and in the ample field which our laws open to all ideas and aspirations, we may hope to see the crowning of such a work and the practical government of the people by the people. As we rest now by the wayside and withdraw into ourselves to examine our own consciences, as we contemplate the way over which we have come, seeing how much has been done and how little remains to be done, we feel satisfied with ourselves, and for the perfecting of our work we put our trust in the God of liberty.

EMILIO CASTELAR.

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SOUTH-WESTERN COMMERCE AND GULF HARBORS.

THE deliberations of the recent Pan-American Congress at Washington, the interest developed in our sister republics of South America, their increased knowledge of our resources and their better understanding of our disposition toward them, the reciprocity agreements recently entered into with Brazil and Venezuela, the prospect of similar agreements with Mexico and with the states of Central and South America, and the construction of the Nicaragua Canal—all combine to direct attention just now to the harbors on the coast of the Gulf of Mexico.

From Cape Sable to Mexico is a line of coast more than 2,000 miles long, and on this entire coast the only harbors of importance are the following: On the Florida coast, Key West, Charlotte, Tampa, Appalachicola, and Pensacola; on the Alabama coast, Mobile; on the Mississippi coast, Biloxi; on the Texas coast, Sabine Pass, Galveston, Aransas Pass, and Brazos Santiago. Of the Florida harbors on the Gulf coast, Tampa seems to be attracting the most attention. In its improvement the western, the middle, and southern States have taken a profound interest, claiming that several millions of dollars may be saved to the people on goods from Cuba, Central America, South America, and Mexico, now brought by the way of New York and the Atlantic seaboard. Such goods now pass out of the Gulf of Mexico and the Caribbean Sea through the reefs of Florida, enter the Atlantic Ocean, and pass on by way of Cape Hatteras to New York, costing a burdensome extra insurance and a fearful annual loss of vessels and of perishable goods. It was asserted, in a hearing before the Senate Committee on Commerce, that $265,000,000 worth of goods are carried yearly to and from the eastern seaboard over this dangerous route; that out of this amount $165,000,000 are consumed, handled, and manufactured west of the eastern boundary of Ohio; and that the whole of this latter amount ought to enter this country at Tampa Bay, and

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would do so if that harbor were properly improved. Much has already been accomplished there. The United States mail is now carried by way of Tampa to Cuba in 66 hours from New York, and in the same time from St. Louis and Chicago, from which cities the time formerly was 324 hours. The population of the city has increased, in five years, from 1,200 to 10,000 people.

A brief review of the methods and results of recent river and harbor improvements in other parts of the United States will help to an understanding of the work outlined and begun at the Gulf harbors, and to an appreciation of its importance; and first, as to internal commerce:

Statistics of our internal commerce have never been accurately collected, but it has been estimated that the domestic produce moved and exchanged in this country last year amounted in value to $25,000,000,000. The annual river commerce of Cincinnati is valued at more than $50,000,000. The tonnage that passes up and down the Detroit River annually is greater than that which enters the port of Liverpool. The number of vessels that enter and clear at Chicago exceeds, every year, by 7,000 the number of those that enter and clear at New York. The tonnage passing through the Sault Ste. Marie in 1890 exceeded that passing through the great Suez Canal by 1,000,000 tons. Our lake, river, and coastwise tonnage amounts to nearly 4,000,000. The present marvelous cheapness of water transportation is of inestimable value to the people in enabling that transportation to compete with railroads and to regulate their charges. Naturally the demand for the improvement of the lake harbors, of connecting streams and canals, and of the immense watercourses of this country has increased in its importunity with the increase of this commerce; but the increasing appropriations in the river and harbor bills are not even yet one half as large as the amounts proposed by the engineer board.

The first general appropriation for rivers and harbors was made in 1823 and amounted to $22,700. It reached $8,500,000 in 1867, $18,500,000 in 1883, and $25,136,295 last year. This seems a vast sum of money, and yet there is not a great maritime nation in the world that does not expend more every year, in proportion to the number of its harbors and to the extent of its

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seacoast, than we do. Our seacoast, reaching from St. John to the Rio Grande and from San Diego to Puget Sound, is more than 23,000 miles. England spends more than $20,000,000 annually on a seacoast of about 1,300 miles. We have, also, more than 2,000 miles of navigable rivers from Pittsburg to the mouth of the Mississippi, and 2,500 from St. Louis to the headwaters of the Missouri; and these constitute but a very small fraction of the watercourses that are easily susceptible of adaptation to our internal commerce. The total number of works provided for in the river and harbor act approved September 19, 1890, is 435.

So sharp has been the freight competition within the last twenty years, that to enable the carrier by water to have even a small margin of profit, almost a complete revolution in the structure of vessels has been made necessary; so that while 25 years ago a depth for ordinary harbors of from 12 to 15 feet was ample, now depths from 25 to 30 feet are required. This necessity of greater depth alone would demand of Congress, if it should be at all responsive to the requirements of commerce, constant and largely-increased expenditures. Our people, then, ought not to expect hereafter any decrease in the amount of money called for by the river and harbor bills. I am aware that a clamor is raised against these bills now and then, but it inevitably subsides after careful and candid investigation. I have no hesitation in saying that no other appropriation bill brings to the citizens of the entire country more direct benefit.

The harbor at Brunswick, Georgia, affords a striking illustration of the benefits of governmental improvement. Over the shoal in front of the city there was, when the present project of improvement was adopted in 1880, a depth at low water of only nine feet. The work hitherto has been limited to the erection of a training wall and to dredging, but since the completion of the wall, in 1889, the dredged cut has maintained a navigable depth of 15 feet. The appropriations for this work, up to the present time, have amounted to $162,000. In consequence of it, a remarkable increase in the commerce of the city of Brunswick has been developed. The population rose from 3,000 in 1880 to 12,000 in 1890. Taxable values increased, during the same

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period, from $1,300,000 to $6,000,000. The trade in naval stores, begun there in 1875, amounted to $1,000,000 in 1889. Lumber shipments increased during the same period from 37,000,000 feet to 100,000,000 feet. In 1884–85 the cotton shipments were 4,000 bales; in 1889–90 they were 200,000 bales.

Many similar illustrations might be given. There has, it is true, been extravagance in the expenditure of money on rivers and harbors, but this is incident to our manner of appropriation. In Europe, when it is determined to improve a river or a harbor, or to construct a canal, a plan is agreed on, an estimate is made, and all the money necessary is appropriated at once, to be expended as the necessities of the work require. Here, after the plans have been determined upon and complete estimates have been made, the appropriations are spasmodic and uncertain. Contracts can be entered into only to the extent of the amount actually appropriated. Not infrequently, as at Galveston, the expenditures of one year have been scattered by the winds, the waves, and the drifting sands, before the next appropriation has been made. I am satisfied that the cost of our improvements, for these reasons, has been from 25 to 50 per cent. greater than if we had adopted the custom prevailing in other maritime countries. The Senate Committee on Commerce, in the case of the last river and harbor bill, undertook to break away from the old methods. They selected four localities and added to the item of appropriation for each the following:

"Provided, that such contracts as may be desirable may be entered into by the Secretary of War for the completion of the existing project, or any part of the same, to be paid for as appropriations may from time to time be made by law."

The first of these localities is the outlet of Lake Superior at Sault Ste. Marie, where the estimated cost of the improvements is $5,500,000. This outlet will soon be choked by the enormously-increasing volume of traffic; for the capacity of the present lock will be reached during this season, and four years at least will be required to complete the lock on whose foundation work is now in progress. The business of the single lock in the 234 days of navigation in 1889 was 7,500,000 tons; more than 1,000,000 tons in excess of the year 1888, and 500,000 tons more

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than the movement through the Suez Canal in the 365 days of the same year. Under the authority given him, the Secretary of War entered into contracts for the completion of the entire work at a cost 37 per cent. less than the old estimates. Similar authority to contract for the entire work was given for the improvement of the harbors at Baltimore, Galveston, and Philadelphia, and it is already apparent that the saving to the government will be from 20 to 40 per cent. Besides economy in expenditure under this method, there will be also economy of time, and the government will be no longer responsible for the waste and destruction caused by winds and waves. If the result of these experiments shall be as beneficial as I confidently expect them to be, a revolution in method will be accomplished. of great value to the country.

No more notable instance of the efficacy and benefit of river and harbor improvements can be given than the results that have been accomplished at the mouth of the Mississippi. The river enters the Gulf of Mexico by five separate passages, which were long blockaded by shallow and unstable bars at their outer entrances, or immediately in front of those entrances. The constant increase in the dimensions and draft of ocean vessels, and the general substitution of steam vessels, with greater carrying capacity and speed, for smaller sailing craft, together with the rapid development of the Mississippi valley, urgently demanded a fixed and reliable means of passage to the Gulf. From 1872 to 1877 nearly 500 vessels grounded, and were in many instances seriously damaged, while attempting to pass through the several passages of the Delta. Frequently scores of vessels, containing many million dollars' worth of merchandise, were detained for days, waiting for a rise of water or for a favorable wind.

In 1874, Capt. James B. Eads, of St. Louis, submitted to Congress a plan to open the mouth of the Mississippi River by constructing a system of jetties. This plan he described, in terse form, as follows:

"The improvement of the mouth of the Mississippi proposed by me consists in an artificial extension of the natural banks of one of the passes, from the point where they commence to widen and disappear in the Gulf, to the crest of the main bar, about five miles distant."

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In 1875, after a thorough and careful investigation of the entire subject, Congress gave authority for the construction of jetties according to this scheme. As the work progressed the advantages and practicability of the project were almost daily more clearly demonstrated. The current of the river, concentrated by the jetties, gradually scoured a passage through the bar, and finally, on July 8, 1879, the desired depth and width of channel were secured. To-day, the largest ocean-going steamships pass in and out with absolute safety and ease. The shipments to all parts of the world from the port of New Orleans, situated about 100 miles above the head of the passes, have shown a steady increase, and have demonstrated beyond all possible question the substantial advantages secured to the agricultural, manufacturing, and commercial interests of the whole Mississippi valley. In addition to these commercial advantages, it has been shown by competent authorities that the volume of water passing through the jetties in times of flood and high water on the river is materially greater than the flow through the pass in its unimproved condition.

One of the most important improvements on the Texas coast is that at Sabine Pass. This pass is the outlet of Lake Sabine, which lies between Louisiana and Texas. The lake is about 15 miles long and eight miles wide, with an average depth of about seven feet. The pass from the lake to the Gulf is nearly seven miles long, by the channel, and its width varies from about one third of a mile to one mile and a half. On the west bank of the pass, more than four miles from the Gulf, lies the small village of Sabine Pass, at the terminus of the East Texas Railroad, a tributary to the Southern Pacific. Through the pass there is a channel, averaging about 500 feet wide and varying in depth from 17 to 30 feet. The bar at the mouth of the pass, unlike others on that coast, is mainly soft alluvial mud, extending to a depth of more than 30 feet below mean low-water level.

The object of the plan for the improvement of this harbor that was adopted in 1882 was to obtain a channel 20 feet deep through the bar. This was to be accomplished by constructing two brush and stone jetties extending from the shore across the bay, and by dredging between them if necessary, at an estimated

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cost of $3,000,000. Upon this project work was begun in 1883, and it has been continued from time to time, as appropriations have become available. These have thus far amounted to $1,100,000. The present length of the east jetty is 17,000 feet, of which the outer 450 feet consists of foundation work only. The west jetty has been extended to 9,500 feet. The result has been to increase the mean low-water depth of the channel from less than seven feet to ten feet. If appropriations are no larger or no more frequent in future than they have been in the past, it will be twenty years before the work is finished, while, for the best results, it should be completed within three years. The execution of the project will be especially valuable in furnishing an outlet to the immense quantities of lumber which will be supplied by the pine forests of that region. The last census report on forestry states that the amount of pine timber in the parts of Texas and Louisiana north of Sabine Pass and tributary to it, is 106,974,500,000 feet. This quantity is sufficient to load 697,830 vessels of 300 tons each, and these, placed stem to stern, would form a continuous line around the globe with 600 miles to spare. The present product of pine lumber in the region directly tributary to Sabine Pass is 500,000,000 feet a year.

The attention of Congress has been directed for many years to the importance of securing adequate deep-water accommodations on the north-west coast of the Gulf of Mexico, for the products and general traffic of the States and Territories west of the Mississippi River. The corn of Kansas, the wheat of the Dakotas, and the mineral products of Colorado, Nevada, and California have, by reason of burdensome land-transportation charges, been subjected to a tax that has frequently prohibited their exportation. Finally, in 1888 and 1889, the interest felt on this subject throughout the West culminated in conventions held in Denver and Topeka, in which were represented the States of Iowa, Nebraska, Missouri, Kansas, California, Arkansas, and Texas, and the Territories of Wyoming, New Mexico, and Oklahoma. These bodies passed resolutions urgently demanding of Congress the establishment of a harbor at some point on the coast of Texas, with sufficient depth and area to accommodate ocean-going traffic. Congress, in March, 1889, provided for the appointment of a

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board of three army engineer officers, to examine critically the north-west coast of the Gulf of Mexico, with a view to determining the most eligible location for the formation of a deep-water harbor that should accommodate the largest ocean vessels. This board, in the following December, submitted a report stating that Galveston is the most desirable location, and that the project for the improvement of its harbor is the most feasible.

The problem of securing such a harbor, here as elsewhere on the Texas coast, is an exceedingly difficult one. The tidal oscillation, which supplies the only available power for scouring out the channel across the bar, is unfortunately only about one foot in height. The shifting sands have proved their readiness to swallow up any structures which may be placed upon them, and the hungry teredo devours every piece of wood which is left to its mercy. Both nature and the railroads have given to Galveston important advantages. Its inner harbor is of inestimable value to the successful solution of this problem. Within the thirty-foot curve there are nearly 500 acres, and there are more than 1,300 acres where the depth is 24 feet. This inner bay is separated from the Gulf of Mexico by a low sand island, 27 miles long, and varying from one mile to two miles in width, on which Galveston city is situated, and by a spit 20 miles long, called Bolivar Peninsula. The main entrance to the bay is between the east end of Galveston Island and the west end of Bolivar Peninsula, and in its natural condition had a width of about 8,000 feet and a depth not exceeding 11 feet at mean low water. It is obstructed by an outer bar and by an inner bar.

The project for the improvement of this entrance, as finally revised by a board of engineers in 1886, provides for the construction of two jetties of stone and concrete, one on each side of the pass, extending from deep water in the bay to the thirty-foot contour line of the Gulf, and for such dredging as may be necessary to aid the tidal scour in maintaining a depth of 30 feet through the channel. The tidal oscillations being so slight, the main difficulty found was to obtain sufficient volume and velocity of tidal flow, by the assistance of artificial constructions, to establish and to maintain a navigable channel. Owing to the great area of the inner bay, the volume of water passing through

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the gorge at each tide is very great, exceeding by about 30,000 cubic feet a second the entire low-water discharge of the Mississippi River. But there are times when the volume of discharge is enormously increased by southerly storms, which augment the depth of the bay five or six feet, and it was necessary to establish a width between the jetties, which, while sufficiently contracted to enable ordinary currents to scour out the passage, should be ample enough to permit this enormous body of water to escape without completely demolishing the structures. After a series of careful experiments, a width of 7,000 feet was determined upon, and has so far proved entirely satisfactory. The estimated cost of completing this work is $6,200,000.

Other great advantages of this harbor are its accessibility to the region which will be tributary to it, and its railroad facilities. The distance from San Diego to Galveston by rail is 1,581 miles, 361 miles less than to New Orleans, while the expense of water transportation from either of the last-named places to Cedar Keys is substantially the same. This 1,581 miles is less than half the distance across the continent to New York. The distance from Denver to Galveston is 950 miles, while from the former city to New York the distance is 2,029 miles. The Galveston, Harrisburg, and San Antonio Railroad, running westerly from Galveston, connects with the Southern Pacific system, which extends from San Francisco to New Orleans. The Missouri, Kansas and Texas, the Houston and Texas Central, the International and Great Northern, the Denver, Texas and Fort Worth, and their connections, furnish at Galveston the most convenient outlet for the products of Nebraska, Iowa, Missouri, Kansas, Colorado, Utah, New Mexico, Arizona, and California, destined for the eastern States or for Europe. It is expected by the engineers that, with the rapid and continuous work rendered possible by the above-mentioned provision of the last river and harbor bill, the project will succeed. If these expectations shall be realized, Galveston has a great future before it; not only as an outlet for that vast region which has been alluded to, but also as the most convenient port for the great trade with the Central American and South American republics which recent negotiations and legislation are designed to develop.

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Corpus Christi Pass is located at the south-western extremity of Corpus Christi Bay, 225 miles below Galveston, and affords entrance to the southernmost harbor on the Texas coast. It is about 20 miles south of Aransas Pass. The bay possesses deep water and ample anchorage area, but the pass is narrow, having less than seven feet of water over the bar at its mouth, and not more than five feet at its head in Corpus Christi Bay. These physical characteristics have prevented the government from undertaking to obtain deep water through the entrance. During the present session of Congress, however, a private corporation, organized under the laws of the State of Texas, has been authorized to construct, at its own expense, certain harbor works at Padre Island, a short distance south of Corpus Christi Pass. The United States expressly disclaims any responsibility for the obligations or liabilities of this company, and reserves the right, at its option, to purchase such works as may be constructed, for a price to be determined by a board of army engineers. The company, which is known as the Corpus Christi and Padre Island Harbor Company, intends to build an outside, deep-water harbor, to be secured, first, by the construction of an approach from the mainland, about five miles in length, to the outer shore of Padre Island; secondly, by a viaduct nearly a mile long to connect the island with the harbor; and thirdly, by harbor-walls proper, embracing an area of 150 acres, or as much more as may be desired. The cost of these works is estimated at $1,500,000. The harbor, when completed, will be a free harbor of refuge for the vessels of all nations, but the company is permitted to charge such reasonable rates of toll for wharfage as the Secretary of the Treasury shall approve.

About 170 miles south-west of Galveston is Aransas Pass. This is the entrance to Aransas Bay, which is connected by shoal water with several other bays, including that of Corpus Christi. These bays have a united area of 350 square miles. In its natural state the pass for many years moved bodily in a southerly direction at the rate of about 260 feet a year, and the depth of the channel over the bar varied from seven to nine feet. The object of the plan of improvement, adopted in 1879 and modified in 1887, is to fix the position of the pass by means of

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revetment work on its southerly shore, and to provide, by means of jetties, a navigable channel at least 20 feet deep through the bar. The revetment has been constructed of stone in such a manner, it is believed, as to prevent the further movement of the pass. Work was performed on the south jetty as rapidly as the limited appropriations allowed, until 1885, when a depth of eleven feet at mean low water was obtained; but, on account of the shifting sands of the Texas coast and the destructive action of the teredo, the wood work of the jetty disappeared almost as fast as it was put in place, and operations upon this structure were abandoned by the government after an expenditure of half a million dollars. Congress, however, by act of May 12, 1890, granted to a corporation the right to improve the navigation of this pass, the privilege being revocable unless a depth of 20 feet of water over the bar shall be secured within five years.

It is impossible now to make reference to other noteworthy harbors of the Gulf, notably those of Pensacola and Mobile, which, owing to projects now in process of execution, are to become exceedingly important in the near future.

WILLIAM P. FRYE.

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CHANGES OF ORTHODOXY IN ENGLAND.

WHAT looks like chance is often an important part of the machinery of evolution. We have a remarkable illustration of this fact in the drift of religious thought, especially in England and in the English Church. When we compare theological with philosophic thought, we are at once struck by the extraordinary difference between them. Philosophy is constantly progressing through the voluntary efforts of its votaries. Every great philosopher, every humble student, sets himself to correct, to develop, to carry further, the thoughts of those who have gone before him. In theology, on the contrary, there is but little voluntary movement, and that little is generally in a backward direction. Among the clergy, as a rule, there is no desire for advance. Retrogression is their ideal. To believe what St. Augustine, or Calvin, or Luther believed, to wear the same clothes and perform the same rites as obtained in the reign of Edward VI., to go back to some by-gone age and stop there—this for hundreds and thousands of clergymen is the *summum bonum*. But just as matter, in spite of its own inertia, is always moving, so there is really a progressive drift in religious thought; although the clergy, with but few exceptions, are doing their best to remain stationary. The drift of thought, chiefly unconscious and involuntary, which is taking place in the Church of England, I purpose now to investigate.

There is not one single doctrine or ceremony in regard to which the clergy are agreed. The views which they hold are divergent oftentimes to the point of contradiction. Some of the clergy, for instance, adopt the expiatory view of the atonement, and believe that Christ's vicarious suffering "satisfied the justice of God," and so saved us from hell. Others look upon this theory as no better than a "doctrine of devils." Some, again, think that the Saviour's connection with the Father was unique not only in degree but in kind, and they speak of his human exist-

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ence as the incarnation. Others—one or two—speak of it merely as *the* incarnation, that is, the incarnation *par excellence;* for they hold that all men are incarnations more or less. As to the Trinity, some adopt the formula "three persons in one God" in the vulgar acceptation of those terms—in the sense, namely, of three individual gods in the Godhead. A few interpret "person" according to its original meaning of "character," and understand by the persons of the Trinity only different manifestations of one indivisible God. In regard to miracles, some acknowledge an indefinite number, including even the theosophical; some, though doubtful of theosophy, believe in the miraculous power of the saints; some restrict themselves to the miracles mentioned in the Bible; some draw the line at the New Testament; some believe only in the miraculous conception and physical resurrection of Christ; while some regard even these stories as after-growths, and are ready to subscribe to the famous dictum of Prof. Jowett, "Men will in time give up miracles as they have already given up witchcraft." With reference to prayer, some assert that we may ask for health, wealth, fine weather, and all the good things of this life, with a considerable likelihood of getting them, even at the cost of a violation of the laws of nature; others relegate prayer entirely to the spiritual sphere, and maintain that the only gifts we can receive in answer to it are faith, hope, "grace," and the like; while others tell us that even here the effect is subjective rather than objective—that we are made better, not by any direct action of the Deity, but simply by our own desire for improvement. As to the sacraments, some believe in "baptismal regeneration," and think that an infant is really "born again" when a few drops of water are sprinkled on it by a priest; while others look upon this dogma as a vain, not to say blasphemous, superstition. And regarding the eucharist, some are transubstantiationists, acknowledging the real physical presence of Christ in the consecrated elements of bread and wine; others, preferring Luther's idea of consubstantiation, believe that his spiritual presence goes along with the elements; and others adopt the Zwinglian view that the effect of the bread and wine is merely to stimulate the imagination of the communicants. As to future punishment, some declare that a large proportion of the race

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are predestined to damnation, and that by no conceivable effort can the reprobate avert their doom; others say that salvation is provided for all men, and that they can be lost only by their own voluntary rejection of it; and others again assure us that there is no such thing as being lost, in the vulgar sense, and that hell is but a name for punishment, the purpose of which is in reality to save us, if not here, at any rate hereafter. As to the Bible, some believe that it was "written by God," and must therefore be infallible throughout; others restrict its infallibility to moral and spiritual subjects; others again state that even in these matters its teaching is often degraded, and that much of what it says about right and wrong and about the nature of the Deity is utterly false and profoundly pernicious. As for the Prayer Book, some profess to accept the thirty-nine articles and all the rest of it: while to others it seems a very unsatisfactory compilation, often flatly contradicting both the Bible and itself. And the ceremonies of the Church of England vary no less than the doctrines. Its ritual ranges from the baldest evangelicalism, where the sole vestments are a surplice and "decent tippet," and where the dreary monotony is relieved only by a choir singing out of tune, to the most advanced Puseyism, where you find chasubles, copes, mitres, acolytes, incense, confession, and everything that has ever received the sanction of Rome. Finally, there is not complete agreement among the clergy even in regard to the value and importance of the Christian religion; for one well-known divine—Canon Taylor—emphatically asserts the superior efficacy, under certain circumstances, of the religion of Mohammed.

Now the priests of the Church of England, holding these different doctrines and practicing these different rituals, are all "successors of the apostles"; at least they have all received episcopal ordination, and they must all, therefore, be in possession of the advantages which such ordination confers. Some of them, no doubt, would be ready to accuse the others of having "fallen from grace"; but, fallen or not, they continue to be members of the Church and to minister as priests at its altars. The efforts which are occasionally made to turn them out are almost always unsuccessful, and at the present moment there is every possible diversity both of opinion and practice among those who are act-

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ually holding the priestly office. This may be regarded—no doubt it often is—as an unpleasant fact; but its unpleasantness does not make it any the less real. Whether people like it or not, the fact remains that in the English Church, as at present constituted, the priesthood is open to men altogether irrespective of the doctrines they believe and the ceremonies they practice. Neither doctrines nor ceremonies have anything to do with our church as such. In the language of logicians, they are merely its accidents, not part of its essence.

Prosecutions for heresy, when they fail, as they generally do, and sometimes even when they partially succeed, bring this fact into striking relief—an irony of retribution which must be very galling to the prosecutors. In the judicial decision given in connection with the "Essays and Reviews," * it was laid down that the books of the Bible may be subjected to the fullest and freest criticism, and that a clergyman is within his rights even if he accuses an inspired author of willful and deliberate dishonesty. We are legally debarred, it is true, from denying the canonicity of any of the Scriptures; but the greatest heretic in the world can never feel tempted in that direction. For to be canonical and to be in the Bible are synonymous expressions. The books of the Bible *are* the books of the Bible, and no sane man would ever dream of saying they are not. What occurred some years ago in Manchester affords a still more remarkable illustration of the fact that theological prosecutions serve only to emphasize our church's indifference to theology. In that town were two priests, named respectively Green and Knox-Little, who both professed the same "high" creed and both practiced the same elaborate ritual. The former, being the less popular of the two, was less expensive to prosecute; he was therefore selected for that purpose by the Church Association, and was condemned to a term of imprisonment. While he was still in jail, Knox-Little was promoted to a canonry. Here was a *reductio ad absurdum* of the opinion that our church concerns herself with creeds or rituals. It was shown to be the falsest of delusions. For of two men whose creeds and rituals were identical, the one was placed in a cathedral stall and the other found himself in an ecclesiasti-

* See the report of the Williams and Wilson trial.

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cal dungeon. The punishments and rewards of the Church of England are administered with sublime disregard for the doctrines and ceremonies of their recipients.

Even in past generations the clergy differed to a very considerable extent from the Prayer Book and from one another, but up to the year 1865 they went on quietly making a subscription which implied that they were all agreed. The declaration contained these words: "I, A. B., declare my unfeigned assent and consent to all and everything prescribed in and by the Book of Common Prayer." We should probably be required to sign the same subscription to-day but for the intervention of the late Dean of Westminster, from whom it received its death blow. I may mention, however, that two ineffectual attempts to relax the subscription had been previously made, the one in 1772 by Archdeacon Blackburn and the other in 1862 by Bishop Stanley, father of the Dean. But in 1862 the late Dean of Westminster addressed a protest to the Bishop of London, and pointed out the extreme absurdity of flying in the face of facts, and the gross immorality of exacting a subscription which could only be a lie. The Dean said that the clergy could not assent to the literal and dogmatic meaning of the six hundred propositions, on the most intricate and complex subjects, which the articles embody; they could not assent to the literal and dogmatic meaning of all the sentences in the liturgy, many of which are poetic and devotional in form, but which must be received, according to a strict subscription, in their most matter-of-fact signification; still less could they assent to both these sets of propositions, emanating from ages unlike each other and each no less unlike our own. And the Dean further showed that, even supposing the clergy could assent to all and everything contained in the Prayer Book, as a matter of fact they did not. The sixth article, for example, to take one of his illustrations, "understands by 'Holy Scriptures' those canonical books of the Old and New Testaments of whose authority was never any doubt in the Church." Taken literally, subscription to those words would exclude from the clerical profession all who receive as Holy Scripture the epistle to the Hebrews, the Apocalypse, the second epistle of St. Peter, the epistles of St. James and St. Jude, and the second

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and third epistles of St. John, of whose authority it is well known there was considerable doubt in the early Church. Yet this statement of the article was not only overridden, but even forgotten; and the vast majority of the clergy, in defiance of the article and of their subscription to it, received as Holy Scripture without scruple those books of whose authority there was doubt in the Church for no less than three important centuries. They even attacked as heretical those who adopted the language of the article itself. "So that," concluded the Dean, "if once we press the subscriptions in their rigid and literal sense, it may safely be asserted that there is not one clergyman who can venture to cast a stone at another; they must all go out, from the primates at Lambeth and Bishopsthorpe to the humblest curates of Wales and Westmoreland."

On these grounds, therefore, Stanley prayed the Bishop of London, the rest of the Episcopate, and the legislature in general, to take the whole question of subscription into their serious consideration. In the following year a royal commission was appointed, and the result of their inquiry was the introduction of a bill by Lord Granville, in which the old form of subscription was completely set aside. The new form ran thus: "I, A. B., do solemnly make the following declaration: I assent to the thirty-nine articles of religion and to the Book of Common Prayer. I believe the doctrine of the Church of England, as therein set forth, to be agreeable to the word of God."

The enormous scope of the change may scarcely at first sight be apparent in this clumsy form of words. But it was brought out clearly enough by Mr. Buxton in his speech before the House of Commons. He said:

"It was the express intention of the commissioners to relax the extravagant stringency of the existing tests; in other words, to make it possible for men to minister at the altars of the Church, though they might dissent from some part of her teaching. . . . Instead of declaring his assent to all and everything the Prayer Book contains, a clergyman now only declares his assent to the Prayer Book itself, that is to say, to the book as a whole, and his belief that the doctrine of the Church therein set forth is agreeable to the word of God. He does not declare that the doctrines, in the plural number, or that each and all of these doctrines, are agreeable to the word of God, but only the doctrine. It was expressly

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and unanimously agreed by the commission that the word 'doctrine' should be used in the singular number, in order that it might be understood that it is the general teaching of the Church, not every part and parcel of that teaching, to which assent is given."

This act of Parliament * is very seldom mentioned, and I believe that it is very little known. But whether the clergy are aware of it or not, the act has been passed, and the character of our church, as essentially a broad church, has been thereby legally determined.

For let us ask, as all intelligent men and women sooner or later will ask, what is this "general teaching of the Church," this "doctrine in the singular number"? It is, it can only be, Christ. And there is but one all-comprehensive synonym for Christ, namely, righteousness. He "gave himself for us that he might redeem us from all iniquity, and purify unto himself a peculiar people zealous of good works." Every Christian church properly so called must be concerned exclusively, or at any rate chiefly, with the promotion and development of righteousness. And this fact is admitted in the Prayer Book, though the admission was probably neither seen nor intended by its compilers. According to one of the rubrics preceding the communion service, only "the notorious evil liver" can be kept away from "the table of the Lord." It was perhaps thought that this would be taken in connection with the catechism and the confirmation services; and it may have been assumed that all who had gone through the preliminary training would continue orthodox to the end. But nothing is said to that effect; and therefore, though a man refuses to accept the creed adopted for him by his godfathers and godmothers, though he no longer agrees with the profession of faith which he made at his confirmation, and though he is a very skeptic of skeptics, he must, according to the law of the land, unless he is a notorious evil liver, be received by the priest as a communicant. So that we have, in every celebration of the communion, little as the clergy seem to suspect it, another witness to the fact that our church as such cares nothing for doctrines or ceremonies; that righteousness, or rather the absence of flagrant unrighteousness, constitutes a sufficient title to its membership.

* 28 and 29 Vic., c. 122.

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This conception of the Church, though unorthodox, is scriptural. "In every nation he that . . . worketh righteousness is accepted," and is therefore a member of "the general assembly and church of the first-born." And I have shown over and over again * that Christ held the same views as to the nature of religion. In one sense, then, the broadest of broad churchmen may be accused of going backward as far as the rest of his clerical brethren; nay, farther, for they generally find themselves satisfied with the third or fourth century. But just as there are two kinds of skepticism, the one which doubts for the sake of doubt, the other which seeks only "firm ground of assurance," so there are two kinds of retrogression. Some go back that they may ultimately stand still, others that they may find the best path for progress. Nor is it difficult to show that a return to the idea of the paramount importance of righteousness is essential to the development, and even to the existence, of the churches.

No church can permanently survive unless it appeals to the reason, the conscience, the common sense, of mankind; unless it is felt to be in harmony with the organic development of the race. But ecclesiasticism shocks our reason by its silly claim to infallibility and finality; it outrages our conscience by its wicked preference of creed to conduct; it violates our common sense, for its very deities are represented as more or less arbitrary, unreasonable, and bad. Further, ecclesiasticism is quite incapable of development within itself, and it is a hinderance to all development without. The theology inherited from St. Augustine or Calvin cannot grow, except, it may be, by the addition of a few theorems as uninteresting, not to say irritating, as the rest. The ritual which comes to us from Edward VI. cannot be expanded, except perhaps by the addition of a few trimmings to ornaments that are already more than sufficiently gorgeous. And what is worse than its own incapacity for growth, is the obstruction which ecclesiasticism offers to the progress of the world. The organic growth of the race is a conception quite beyond the ecclesiastical range of vision, and indeed quite incompatible with the ecclesiastical system. That system professes to be complete in itself, and disclaims all connection with the other religions and

* See, for example, my "Church and Creed," pp. 80–91.

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philosophies of the world. Its crowning glory is to exist in an irrational isolation. Its supreme aim is to bring all human thoughts and endeavors within the narrow limits of its own cut-and-dried theology.

In these days of advancing knowledge and advancing courage, such a system cannot have long to live. The churches at present are in a state of unstable equilibrium, and within a measurable distance of annihilation. Though scarcely any of the clergy can be called thinkers, there are still among them, I admit, many scholars of deservedly high reputation. But in fifty years' time even the scholars will be conspicuous by their absence. In the English universities it is but rarely nowadays that distinguished students go into the Church. Educated men—and I need hardly point out that a knowledge of Greek and Hebrew is not in itself education, for he only can be called educated who has some acquaintance with the best thoughts and achievements of the race—educated men who feel that their heads and lives are worth something refuse to fling them into the vortex of ecclesiasticism. And unfortunately ecclesiasticism is generally confounded with the Church. It is not understood that *the* church properly so called is something different, something infinitely superior, to any temporal and local church, such as that of England or that of Rome. It is not understood that the true church is absolutely opposed to ecclesiasticism. Those who take orders in any particular church almost invariably do so with the view of keeping alive its errors, scarcely ever for the purpose of leading it to the truth. And so it comes about that the ranks of the clergy are recruited every year from a lower intellectual class. But if only men can be got to see the essential difference between churches as they are and churches as they should be; if they come to understand that there is no necessary connection between "going into the church" and supporting the corruptions of ecclesiasticism; then the best of our graduates will begin to feel that there is still noble work—the very noblest—to be done "in orders," and clergymen themselves, in the future, will be among the most powerful opponents of ecclesiasticism. At any rate, whether the clergy take part in its destruction or whether it is destroyed in spite of them, it is most assuredly doomed.

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The churches of the future will be founded on the idea of righteousness. "Other foundation can no man lay." Any narrower church is unworthy of humanity and of God, and will, in the natural course of events, be swept away. The gods of ecclesiasticism have very often been devils. But the true God is a perfectly good Being, and his church must therefore be co-extensive with the race. In righteousness, and in righteousness alone, we have an idea that will unite all men by a common bond. In righteousness, and in righteousness alone, we have an idea capable of indefinite expansion, of unceasing application to the ever-changing, ever-growing necessities of human life. A church founded on the idea of righteousness is a church which all wise men must approve, which all good men must love, for righteousness is absolutely necessary for the well-being of mankind. A church founded on the idea of righteousness is part of that eternal and universal church which existed long before the Christian era, which will continue to exist when every ecclesiastical institution in Christendom has collapsed. Ecclesiasticism must be destroyed before religion can begin. The churches of men must be revolutionized in order that the church of God may be saved.

And, as I have shown, the revolution which is necessary can be effected more readily in the English Church than in any of the rest. It is, so to speak, revolutionized already by implication. The Church of England, as by law established, is actually standing on the true foundation. If only she will not tear herself away, if her clergy will but recognize where they have drifted in the course of evolution, or rather, let us say, in the providence of God, she will enter on a career of triumphant and never-ending progress. And what is true of my own church is true of all others. When they have been thoroughly purged of ecclesiasticism—but not till then—the churches of the world will become the churches of our Lord and of his Christ.

ALFRED MOMERIE.

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THE TRANSMISSION OF CULTURE.

A GREAT prophet of science has arisen, in the person of Professor August Weismann, of Freiburg, who has essayed * to prove that what biologists call an "acquired character" is not hereditary. An acquired character is one that is not congenital, but has arisen, no matter how, since the birth of the organism possessing it. Professor Weismann naturally confines himself chiefly to animals and to modifications that take place in their physical structure, and he maintains that wherever such modifications descend to the offspring of such animals they cannot have been acquired by the animals during their lives, but must have previously existed in a latent state in their reproductive germs, and have been handed down from ancestors more or less remote. Mr. Francis Galton had anticipated Weismann in the expression of similar views, but he made them less absolute, and did not insist upon them with so great emphasis. He applied them, too, chiefly to man, and dealt with mental as well as with physical qualities. With the mental qualities of the human race, we are just now exclusively concerned, and we must leave the biologists to settle the question as regards animals and plants.

Weismann could not, of course, wholly ignore mental qualities, and the following passage from his book will serve to show that he does not exempt them from his law. At the same time, it may be taken as a sample of his reasoning and as a sort of text for what is to follow. He says:

"The children of accomplished pianists do not inherit the art of playing the piano; they have to learn it in the same laborious manner as their parents acquired it; they do not inherit anything except that which their parents also possessed when children, viz., manual dexterity and a good ear. . . . The pianist may by practice develop the muscles of his fingers so as to insure the highest dexterity and power; but such an effort would be entirely transient, for it depends upon a modification of local nutrition

* "Essays upon Heredity and Kindred Biological Problems." Authorized translation (Oxford, 1889).

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which would be unable to cause any change in the molecular structure of the germ cells, and could not therefore produce any effect upon the offspring."

It may be observed that this passage contains two very distinct statements, which are confounded by Weismann, and have been generally confounded by writers on heredity. It is perfectly true that "the children of accomplished pianists do not inherit the art of playing the piano." But "the art of playing the piano" is really a form of knowledge, and no one has ever maintained that knowledge can be transmitted. It is necessary to distinguish sharply between knowledge and the capacity for acquiring knowledge. It is this latter only that has been generally believed to be hereditary.

Knowledge is of two kinds, subjective and objective—knowing how and knowing what. The former is the knowledge of handicraft, or art; the latter is the knowledge of facts and their relations, or science. Neither can be acquired except through the senses, and both have to be learned by repetition and memory. It is as absurd to say that a knowledge of piano execution can be inherited as it would be to say that a knowledge of the multiplication-table can be inherited. Both require a prolonged mnemonic drill of the appropriate faculties. To learn to play the piano it is necessary to learn what a piano is, how its keys are arranged, and how its tones are adjusted. It is also usually necessary to acquire the rudiments of European music, to which the piano is adapted, to learn to read written music, and to understand the relations of the musical characters on a sheet of music to the corresponding keys of the instrument. This does not differ from learning to read print, and certainly no one claims that the ability to read can be inherited. I have dwelt somewhat upon this point, because, simple as it may seem, no one has touched upon it in the prolonged discussion of Weismann's theories, and statements such as this have been allowed to weigh against the transmission of acquired characters. Being so obviously true, they have been supposed to have a peculiar force, when in fact they have no force at all, because they are wholly irrelevant.

The remainder of the passage quoted is to the point, and in

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view of the state of popular opinion on such subjects, would doubtless be generally rejected as contrary to common observation. But we live in an age when popular beliefs are being constantly put to the test of exact science. Mere prevalence of opinion is no longer a legitimate ground for accepting any proposition. The most universal and long-standing dogmas have proved untrue, while the unpopular heresies opposed to them have often been found to correspond much more nearly to the reality. Is the doctrine of the transmissibility of mental aptitudes acquired through education—using that word in its widest sense—to be relegated to the limbo of exploded beliefs? And is the opposite proposition the true one—that acquired talents cannot be passed on to a future generation?

Such is the problem before us, and its immense importance must be obvious at a glance. Its settlement, supposing that it can be settled, must profoundly influence the action of every class of men who are sincerely working for the good of the race, and the side of this question which each individual espouses cannot but determine his course in everything that he undertakes. The educationalist must be governed by it in all his plans for human culture. The social reformer will be guided by it in all schemes for the improvement of society. Even the statesman and the legislator cannot fail to be affected by it, and will shape the policy of the state in a very different way for a race that is to develop through its own exertions, from the way in which they would shape it for a race that is completely at the mercy of the little-known processes of "natural inheritance."

Nor is the question now, viewed from the standpoint of scientific authority, any longer a one-sided one. In England, aside from Mr. Galton, there are to be counted among the followers of Weismann such eminent scientific specialists as Mr. W. T. Thistleton Dyer, Director of Kew, Prof. E. Ray Lankester, and, so far at least as animals are concerned, Dr. Alfred Russel Wallace. Led by such lights as these, perhaps one half of the biologists of England have subscribed, with or without qualification, to the Weismannian doctrine.

So long as the question is confined to the lower forms of life, it must be confessed that the defenders of the transmissibility of

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acquired characters are placed at a disadvantage, on account of the difficulty of proving that the facts to which they point are not capable of a different interpretation, and that they may not be equally well explained by the all-embracing law of natural selection. But when the human species is to be treated, the tables are, in a manner, turned. Dr. Wallace, co-discoverer with Darwin of the law of natural selection, has denied from the first that that law applies without qualification to man. His defense, therefore, of Weismann's views constitutes a singular anomaly. But the fact that, in attempting to account for the development of the human faculties, he abandons the scientific method and, in the language of Prof. E. Ray Lankester, "has recourse to a metaphysical assumption," does not invalidate his early claim. That claim was that such development cannot be due to the action of natural selection, since this can operate only where the quality to be developed possesses such a direct advantage in the struggle for existence as to increase the chances of reproduction and to insure the survival of those individuals endowed with it.

So far as the development of brain mass and consequent brain power is concerned, it must be conceded that no "character" could possibly be more directly the subject of natural selection, since the primal quality of brain is cunning, and this is more important in fitting a creature to survive than any other attribute. It is, therefore, only in the cases of certain derivative faculties that have little or nothing to do with the fitness to survive, many of them rendering man unfit and almost helpless in the struggle for existence, that we find the really strong claims of those who advocate the doctrine of the inheritance of acquired mental qualities, or post-natal increments to faculties already existing. What are these qualities? Dr. Wallace believes them to consist chiefly of the mathematical, the esthetic (sculpture, painting, etc.), and the musical; but he also very properly mentions the power of abstract reasoning, the metaphysical faculty, or talent for abstruse speculation, that which gives rise to wit and humor, and the moral or ethical attributes. Others might be enumerated, such as the talents for scientific observation, for laboratory experimentation, for mechanical invention, and for literary research; and, in general, all the powers of mental appli-

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cation, abstraction, and attention, of study, and of investigation, by which knowledge has been increased. On the side of art might be added also the faculty of diction, both written and spoken, poetry, oratory, and style in writing.

It is certainly not necessary to explain that these biologically non-advantageous attributes, though highly derivative and without any place in the great scheme of organic development, have become to civilized and enlightened man not only the most advantageous of all his mental possessions, but the chief marks by which he is distinguished from the animal world below him. More than any and all physical distinctions, these constitute him man. Yet all derivative faculties do not belong to this class, for that of money-getting, whether in legitimate business ways or by sharp speculation, that of political and social intriguing to better one's condition, and many others, are but so many refined modifications of the primitive animal cunning, calculated to evade the protective institutions of society, and to secure by still greater indirection the personal advantages no longer attainable by brute force or sagacity. These have, therefore, developed through the survival of the fittest, and belong to the normal competitive class characteristic of the lower animals.

It is quite otherwise with those higher intellectual, esthetic, and ethical faculties first enumerated, and this is admitted by Weismann when he says that "predispositions which we call talents cannot have arisen through natural selection, because life is in no way dependent upon their presence." But he denies that they are due to the inheritance of what is gained by individual effort, and asserts with emphasis that "there is absolutely no trustworthy proof that talents have been improved by their exercise through the course of a long series of generations." He reminds us that men who have displayed special talents have most commonly been the only persons in their lines who have possessed such; that others are known to have inherited them, not from their parents directly, but from more or less remote ancestors; that quite varied talents have often cropped out in the same family; that highly-gifted men frequently emerge from the masses; and that great events are certain to evolve appropriate leaders of any popular movement. Therefore, he argues,

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such powers of mind must be due to certain subtle influences at work through heredity in society; and the commingling of innumerable and widely-different ancestral germs, co-operating with favorable conditions for their manifestation, must suffice to explain the observed facts. Dr. Wallace offers a very different explanation, and holds that the facts "clearly point to the existence in man of something which he has not derived from his animal progenitors—something which we may best refer to as being of a spiritual essence or nature, capable of progressive development under favorable conditions."

On the other hand, Mr. Galton, although leaning strongly against the doctrine of the transmission of acquired qualities, has, in his "Hereditary Genius" and other works, ably shown from concrete examples that high qualities of mind tend to run in particular families, and has done much to disprove the popular notion, relied on by Weismann, that they are spasmodic products of the *Zeitgeist*. In the same line with Galton, M. Alphonse de Candolle, himself a notable example of "hereditary genius," has collected an additional mass of facts in support of the view that talents tend to persist in certain families or lines of descent. There are, it is true, many apparent exceptions to this rule, but most of them could probably be explained if all the facts were known. It is not to be supposed that there will be in every case a series of direct descendants, all displaying the same mental powers in a progressively increasing degree. Aside from the now well-understood law of atavism, which often makes long breaks in such series, a multitude of other influences tend to modify and distort the effects, and finally wholly to destroy them. The most important of these influences is, of course, the commingling of different strains in the two parents. The single fact that, as a rule, the sexes prefer their opposites would rather make us wonder that any one class of mental qualities can be perpetuated through two generations. And it is the recognition of this fact that has led some to propose an abandonment of the rule of personal choice, and to recommend the selection by parents and guardians of similar natures, instead of opposite ones, to be the parents of the race. But such persons forget that in the union of opposites nothing is lost of the qualities of either,

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but only the tendency to extremes is checked. And, assuming the qualities thus neutralized to be worthy, many maintain that this leavening of the whole mass of society is more to be desired than the exaggeration of a few of even the noblest attributes.

Weismann and his followers do not generally deny that the faculties above enumerated have increased, and greatly increased. The chief explanation seems to be that this is effected by the fortunate union of varied ancestral qualities in the developing germ. Prof. E. Ray Lankester argues that they may have arisen more or less suddenly, as in the case of what are called "sports," and that this may be brought about by external influences acting abruptly and spasmodically upon the reproductive elements of the parents. He denies that the nature of the effect can have any qualitative relation to the cause, and compares this relation to that which the shaking of a kaleidoscope sustains to the change produced in the images exhibited. To the average mind this certainly seems far less reasonable than to suppose that the prolonged exercises and intense activity of a particular faculty has the effect, in some unexplained way, of producing in the parental germ a corresponding alteration which is capable of perpetuating itself in the offspring, and thus of transmitting to descendants the increment acquired by the parent through cultivation and personal exertion.

But aside entirely from all abstruse theories as to how heredity takes place, we have at least the following general facts, which can best be explained by the theory of the transmission of acquired qualities: Correlated with the general process of cephalization, which is admitted to be due to other causes, a large number of highly derivative and greatly specialized mental attributes that offer no advantage in the struggle for existence have made their appearance in man. These have arisen, so far as we know, only under the protection of such social institutions as are calculated to exempt a portion of the race, for longer or shorter periods, from the necessity of devoting its energies exclusively to the maintenance of physical existence; that is to say, they are the products of leisure, and represent the surplus mental energy insured by civilization. With the satisfaction of physical wants these intellectual, esthetic, and ethical wants have arisen, grown

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powerful, and been attended with intense emulation. This has led to the incessant and vigorous exercise of these derivative faculties. Although not advantageous in the biological sense, these faculties have, nevertheless, been strengthened and increased *pari passu* with their exercise. They are most highly developed in those persons who have most strenuously cultivated them, as witness the ethical cast of the Hebrew mind, the talent for sculpture among the Italians, and the musical genius of the Germans. The faculties themselves are clearly hereditary and, notwithstanding parental crossing and other distributive influences, tend perceptibly to persist for a longer or shorter period in particular families.

The whole point at issue is whether there is a causal relation between the cultivation of these faculties and their development; in other words, whether the increment gained by their exercise is transmitted to posterity. Professor Weismann and most of his followers, constituting what is now generally known as the school of Neo-Darwinians, deny such transmission. If they are right, education has no value for the future of mankind, and its benefits are confined exclusively to the generation receiving it. So far as the inculcation of knowledge is concerned, this has always been admitted to be the case, and the fact that each new individual must begin at the beginning and acquire all knowledge over again for himself is sufficiently discouraging, and has often been deplored. But the belief, though vague, has been somewhat general that a part at least of what is gained in the direction of developing and strengthening the faculties of the mind, through their life-long exercise in special fields, is permanently preserved to the race by hereditary transmission to posterity of the acquired increment. We have seen that all the facts of history and of personal observation sustain this comforting popular belief, and until the doctors of science shall cease to differ on this point and shall reduce the laws of heredity to a degree of exactness which shall amount to something more like a demonstration than the current speculations, it may perhaps be as well to continue for a time to hug the delusion.

LESTER F. WARD.

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CHEMISTRY TO-DAY AND ITS PROBLEMS.

If we compare the chemistry of the present day with that existing in the earlier half of the century, we certainly see no epoch-making, far-reaching discovery such as that which has marked the sister science, biology. There is nothing which warrants us in speaking of the "new" or of the "old" chemistry. Nevertheless we have witnessed a most important advance. Our science is gaining a more complete organic and internal cohesion, and is entering into closer federal relations with the other sciences, giving and receiving fresh light. Chemistry, in conjunction with physics, furnishes astronomy with a new and most powerful method of research, and with a new body of facts and generalizations. But to these results we have no occasion to refer, as they have been ably explained by Professor C. A. Young.*

At the same time, chemistry is deriving new light from the very opposite direction. Not many years ago few persons, if any, surmised that certain microscopic living beings—microbia, or micro-organisms—could be powerful agents of combination and decomposition, not merely in living plants and animals, and not alone in dead organic matter, but even in the mineral kingdom. Some time ago the researches of Schloesing and Muntz, of Marcagno, of P. F. Frankland, and of others showed that the decomposition of dead organisms into their components depends mainly on the action of microbia which break up blood, flesh, leaves, and even wood, into carbonic acid and ammonia. Living organisms further convert the ammonia into nitric acid, which, if potash is present, forms saltpetre. By a due selection of different ferments—all of them living organisms—we can produce, in a solution of sugar or a decoction of malt, alcoholic liquors having the actual aroma and flavor of the choicest wines. More remarkable still, it is now proved that the green rust on antique bronzes is a product of microscopic plant life.

* The Forum, September, 1890.

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The interfusion—not confusion—of chemistry and physics is being rapidly developed, and is constantly proving more and more fruitful. Just as the miner is apt to find the amplest booty where different rock formations meet; just as the flora and the fauna are richest where land and water adjoin each other; so also the border land of chemistry and physics forms the happy hunting ground of the experimentalist—a truth which I would strongly urge upon every student.

We were told formerly that bodies cannot act upon each other chemically except after they have been dissolved. Yet even gravitation, the least versatile form of energy, can, when it acts as pressure, compel certain solid bodies to enter into mutual combination even at ordinary temperatures. W. Spring, a Belgian chemist, by submitting sulphur and copper, in the form of fine powder, to an enormous pressure, has been able to combine the two chemically, forming a copper sulphide; and, in an analogous manner, it is possible to form the sulphides of other metals which have a powerful affinity for sulphur. This experiment has a most important bearing upon the formation of minerals in that part of nature's laboratory which we call the interior of the earth. Of the processes in play in that laboratory we know very little, as our main evidences are merely rocks raised by upheavals and matter ejected by volcanoes.

An important result of the joint action of low temperature and intense pressure is the liquefaction, and even the solidification, of gases. Faraday formerly experimented in this direction with no little success, but certain gases bade defiance to the resources at his disposal and remained in the gaseous condition. Consequently in old text books we used to read of "condensible" and of "permanent" gases. But of late the question has been re-opened with improved methods and more powerful appliances. Pictet, Cailletet, and Wroblewski have been so successful that the class of "permanent gases" has disappeared. It has been asked what would be the condition of any substance, or of matter in general, if it could be exposed to the temperature of absolute zero supposed to exist in the depths of space. Such a body, so far as we can judge from approximate experiments, need retain none of the properties of matter save inertia and

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impenetrability. We even hesitate to say how far it might be entitled to be called matter at all.

Chemical compositions and decompositions may be effected, in a variety of cases, by a shock or a vibration. The slightest touch may cause certain bodies to assume a crystalline structure or to change color. In other cases a blow may lead to a complete decomposition attended with combustion and explosion. The effects of prolonged vibration upon chemical compounds have not been thoroughly studied. It is found impracticable to preserve wines in a cellar situated near a powerful tilt hammer which keeps the earth around in constant tremor. But the part played by gravitation in any of its forms in chemical phenomena is trifling in comparison with the interaction of heat and chemical forces. Heat is at once a cause and an effect of chemical change. We can rarely form or decompose any chemical compound without either absorbing or liberating heat. The quantity of heat lost or gained in such cases has been proposed as a means of measuring chemical affinity, for which, unlike heat, electricity, or light, we have no direct method of estimation. The special study of this subject, known as thermo-chemistry, was undertaken in a rudimentary manner by Lavoisier and Rumford in the last century. Lavoisier laid down the law that as much heat is required to decompose a compound as is liberated by the combination of its constituent elements. The thermo-chemical process was studied more completely by Hess, Andrews, Graham, and Favre, about 1840. In the mean time the mechanical theory of heat was developed by Joule and Clausius, and was applied in 1853 to thermo-chemistry by Julius Thomsen, of the University of Copenhagen. This chemist is still continuing his researches, in which he has been joined since 1863, with occasional controversies, by M. Berthelot. Their results have shed a novel light both upon pure chemistry and upon the chemical arts. In both we thus obtain the power not merely of explaining results, but often of foreseeing them. An exposition of thermo-chemical laws would be too technical for the present article.

The interaction of light with chemical activity, though not less important, is less conspicuous. From the consideration that every objective optical phenomenon can be photographed, it fol-

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lows that the geometrical laws of light hold good for the chemically-active portion of radiant energy. As a rule, rays of short wave length—those, that is, in which the number of vibrations in a second is greatest—are most capable of chemical activity. In the most important case, however, namely, the decomposition of carbonic acid in the tissues of green plants, the rays of greater wave length are most active. In the act of sight, which depends on an irritation of the retina and is probably a chemical process, the yellow and green rays are the most efficient.

Chemical change appears also as a cause and an effect of electricity. We no longer find ourselves able to accept the electro-chemical theory of Berzelius, according to which two elements enter into combination and remain combined because the one is relatively electro-negative and the other electro-positive. This theory led its illustrious originator to oppose Faraday's law of electrolytic equivalents and the theory of substitution proposed by Dumas, both of which have since been accepted as perfectly true. But we have not yet succeeded in establishing in its place a sounder electro-chemical theory, which is still one of the wants of our science. We know, as a general rule, that a positive element is eliminated from a combination by a stronger positive element, and that a negative element is driven out in like manner by a stronger negative one. But we are not able, in virtue of such reactions, to ascertain the place of an element in the series of electric tensions. Such a series is needed, but its preparation will prove no easy task. We now make extended use of electric action in the analysis and assay of mineral matters, and even in metallurgical operations on a large scale. We have been convinced, thanks to the researches of Arrhenius, that solutions of salts and of powerful acids and bases contain these substances, as such, only to a small extent, the greater part of them being dissociated into ions. We find, too, that chemical properties may be greatly altered by an electrical charge.

The greatest portion of the activity of chemists is at present turned to the discovery of new compounds, especially organic compounds. To such an extent is this the case that an entire number of the FORUM would not suffice for a bare catalogue of the novelties thus brought to light. Some of these compounds are,

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or may be hereafter, of technical or commercial importance; but the great majority of such discoveries throw no light on the principles of the science, and are devoid of interest except to the chemical specialist. Some discoveries, however, have lately been made which may teach important lessons, and to a few of these I must briefly draw attention. In the dreams of the alchemists a body figured under the name of "alcahest," which was supposed to be a universal solvent, and which, consequently, if obtained, would be incapable of preservation. It has long been conjectured that fluorine, if it could be produced in a free state, would probably possess the very properties attributed to this mysterious alcahest. Many attempts, made by Knox, Baudrimont, Louyet, and others, proved vain; but lately a French chemist, H. Moissan, has obtained free fluorine. It is interesting to find that fluorine possesses the very properties which were expected on theoretical grounds, and which the old alchemists had assigned to their alcahest. It is curious to note that this formidable element exists free in nature, although in very small quantities. On crushing fluor spar a corrosive gas is sometimes emitted which possesses the general properties of fluorine.

Much doubt has existed concerning the ultimate source of the combined nitrogen that exists in plants and forms a necessary item in their food. Some chemists of the highest eminence have maintained that, while plants are capable of absorbing and fixing in their tissues the ammonia and oxides of nitrogen present in the atmosphere, they are utterly incapable of utilizing the free nitrogen that exists in such vast quantities in the air. This question is not merely of deep theoretical interest as relating to the balance of life upon the globe, but it is of supreme importance to man on account of its reference to the fertility of the soil and to our future supply of food. It has been fully demonstrated that, at least in Europe, the yearly amount of combined nitrogen brought down upon an acre of soil by the agency of rain and dew does not make up for the quantity taken away in the various crops. Hence, even if we return to the land all the animal and vegetable refuse into which its products are ultimately converted, the fertility of any given plot must in the long run decline, unless, in some manner or other, a portion of the free

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nitrogen in the atmosphere is absorbed and rendered available for the nutrition of plants. Source after source has been suggested as probable, and finally declared to be inefficient. At last one has been found in a most unlooked-for quarter. Practical agriculturists have long since reached the conclusion that certain green crops, such as peas, beans, lentils, and vetches, are not so exhaustive to the soil as wheat, maize, turnips, and potatoes. Now if we examine the rootlets, say of kidney beans, we find them studded more or less thickly with small knots or tubercles, which are the abode of a special kind of bacteria. These bacteria have the power of fixing the free atmospheric nitrogen in such a manner that it may serve as a food for the plant. Accordingly if we sow a field with such vegetables and plow them into the soil at the end of the season, they prove efficient fertilizers. On the other hand, if the formation of these tubercles on the roots has been prevented, the plants do not flourish and the soil is not enriched. But even if it is demonstrated that the soil is benefited by a rotation of crops in which leguminous plants are duly prominent, this result does not justify our present profligate system of running the organic waste of our cities into the sea or destroying it by fire.

We have next to take a glance at an alleged elementary body, said to have been discovered in Damara Land, South Africa, and named hence damarium. Two prospectors observed small jets of a gas issuing from the sand. It proved to be specifically lighter than hydrogen, hitherto the lightest body known, and, as far as could be roughly ascertained, was of a lower atomic weight. I should not have noticed this discovery, had it not been given to the world in a paper of such standing as the "*Chemiker Zeitung*." If the existence and properties of damarium are verified, it will have to figure in the first line of our tables of atomic weights and to serve in place of hydrogen as the standard of comparison for the specific gravities of gases. It may, perhaps, prove to be identical with "helium," a body which on spectroscopical evidence is believed to exist in the sun.

A discovery, not yet generally accepted, has been made by Professor Kruss, of Munich, and Dr. W. Schmidt. They have found, it is alleged, in the purest nickel and cobalt, from one to

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three per cent. of a metal which has hitherto escaped detection. This is the more curious as these two metals have been closely scrutinized by Liebig, Woehler, Fresenius, and other chemists of high eminence.

Until very lately an element figured in our text books under the name of didymium. Its properties, and especially its atomic weight, had been determined in certain masterly researches; and it was recognized, according to one of the most familiar definitions of an element, as a "something to which we may add, but from which we can take nothing." But Dr. Auer von Welsbach, on examining this supposed simple body in a manner hitherto untried, was able to resolve it into two simpler bodies, which have received the names neodymium and praseodymium. Still this is not the end of the matter. Later researches, in which the present writer has had a part, show that neodymium and praseodymium are not the simplest bodies into which didymium can be broken up. Another case of this kind is that of Nordenskiold's gadolinium. This body had a fixed atomic weight, yet it has been broken up into yttrium, erbium, and ytterbium. I have found that yttrium consists of five or more constituents, previously unknown, and each of these constituents may prove further divisible if examined in some novel manner. Space does not permit me to develop the lessons of the "rare earths," which promise to throw a new light on the very foundations of our science and on the nature of the elements. In all probability they have been formed by a process of evolution, in which the "survival of the most inert" plays a role similar to that which the "survival of the fittest" is considered to take in biology.

Multitudes of discoveries have lately been made in the department of organic chemistry. Compounds which were formerly obtained by the aid of plants and animals are now formed synthetically; that is, built up, if not from their elements, yet from simpler combinations. The present labors in this direction, however, can possess none of the high philosophic interest which attached to Woehler's artificial production of urea. That grand discovery disproved the dogma that organic compounds are capable of formation only under the influence of life. This having been effected, further disproof is needless. Many of the

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recent organic syntheses may be described simply as a war against agriculture. But there is a limit which is sometimes not taken into account. We shall ultimately, doubtless, be able to reproduce artificially every organic compound existing in nature. But there is no prospect that we shall be able to make artificially any organism or any part of an organism. Suppose we should be able to form synthetically malic acid, fruit sugar, and cellulose; we should not be in the least nearer to the power of making an apple. Wherever there is not merely peculiar chemical composition, but peculiar tissue, there the scope of chemistry is at an end. Hence, though the formation of starch and gluten may ultimately come within our power, we have no prospect of ever being able artificially to produce a grain of wheat.

Among the chief triumphs of organic synthesis must rank the formation of so-called "saccharine" by Professor Remsen and Dr. Fahlberg. This substance, we must bear in mind, has none of the properties of sugar except sweetness. It does not in any way contribute to nutrition. It has its uses, doubtless, for sweetening the food of invalids to whom sugar would prove injurious, such as diabetic patients. On the other hand, it opens the door to a series of frauds, as a small quantity of it may enable various worthless substances, so long as they are soluble, to be sold as sugar. Its taste, moreover, is not exactly like that of sugar. Bees and wasps turn from it with an angry hum, and even flies will not touch it. But we must remember that the senses of many insects are not only more delicate than our own, but reveal differences which we cannot detect even with our instruments of precision. A bee will not touch beet-root sugar if cane sugar is at hand. It is, however, perfectly possible that chemical science may yet put us in possession of a true artificial sugar.

Other experimentalists have turned their attention to perfumes. The so-called fruit essences, which are supposed to communicate to confectionery and to liqueurs the flavors of pine-apples, of the jargonelle pear, and of apples, are open to grave suspicion. It is not proved that their physiological action is identical with that of the fruits whose flavors they simulate. Some of the ptomaïnes and alkaloids extracted from putrid or diseased animal matter, though highly poisonous, possess the

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odors of cinnamon, of the rose, or of the syringa. An artificial musk, recently obtained, not only gives off the exact odor of the natural product, but is said to have the same medicinal action. Hence the musk deer may consider itself disestablished.

The synthetic chemists have been most active and most successful in making dyes. Some natural coloring matters, such as turmeric, archil, and safflower, have been nearly superseded. But the two most important dyes, alizarine and indigo, have been not only imitated, but actually made artificially. The history of both is no longer novel, but I may mention that quite lately two chemists, one a Swiss and the other a German, have succeeded in producing artificial indigo at a price which will enable it to compete with the natural product. A recent inventor brings forward a so-called artificial silk. His product, however, is not silk, but merely cotton fiber modified so as to imitate some of the properties of silk. Hence it forms no exception to the rule that we cannot reproduce organic structures.

Attempts have been made, not without success, to form minerals. Artificial ultramarine has long been an article of commerce. The formation of the diamond is said to have been actually effected, but in the opinion of the inventor the process is so difficult and so dangerous, that the diamond-miner and the diamond-merchant need not feel uneasy. The ruby and the sapphire have lately been reproduced in Paris, and, curiously enough, the coloring matter in both is found to be due to one and the same metal—chromium—in different states of combination. Red and blue stones, or an intermediate violet form which might be likened to the rare and beautiful oriental amethyst, have been obtained in one and the same operation, from the same lot of material. The jewels thus produced have so far all been small; large enough to form the pivots of superior watch works, but not large enough to rank as rare and costly ornamental objects.

Passing, in conclusion, to more general considerations, we may note that our conceptions of atoms and molecules, as the component parts of matter, have been extended. Dalton and most of the chemists of the present day conceive of the atom as a body, minute indeed, but not infinitely so; divisible in the imagination of the mathematician, but not capable of being actually

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broken up by any means at our command. The conflicting theory of Boscovitch, which was adopted by Faraday, regards atoms as mere mathematical points, centers of forces, or, as we should now say, forms of energy. To compare these two views in detail would be here impracticable, but several advances have been lately made in our insight into the conformation of matter. It has long been considered that the atoms are grouped together in so-called molecules. Each such molecule is composed of a fixed number, generally small, of atoms. These molecules, if they belong to one and the same chemical species, are alike in the number and the kind of atoms of which they are composed. But we find, on analysis, bodies which contain the very same substances in exactly the same proportions; and yet such bodies may differ in their boiling and congealing points, in their colors, in their odors, and in their physiological action. The only way of explaining these differences is by supposing that the atoms in each molecule are arranged differently, and that this modifies the properties of the substance. The arrangement of atoms in the molecules of a compound body is known as its "constitution," which must not be confounded with its composition. The constitutions of compound bodies have until lately been represented by certain formulas, which show the symbols of their elements disposed on a plane surface. It is now found that the mutual relations of such elementary atoms may be shown forth more clearly by supposing them to be disposed on a body of three dimensions. But this is not all. It appears now that the atoms in the molecule are not motionless, but that they are in a state of vibration or rotation—motion, in short, comparable to that of the bodies of the solar system. So minute are the atoms that, in a molecule which is not even visible to our senses, and which might be thought a concrete whole, they may be relatively as far apart as the sun and the planets.

We see thus that in chemistry, though we have gained much truth, though we have acquired the powers of creation and prediction, there are still not mere gaps, but abysses, to be filled up. For this task not one Curtius, but many, will be needed.

WILLIAM CROOKES.

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THE BERTILLON SYSTEM OF IDENTIFICATION.

In all ages questions of identity have excited the interest of men. Is it not at bottom a problem of this sort that forms the basis of the everlasting popular melodrama about lost, exchanged, and recovered children? Actual history is not less rich in facts and stories of this kind. Almost all the French historians, for example, have striven to identify the celebrated prisoner of Louis XIV., known as "The Man with the Iron Mask," not to mention the pretended descendants of J. J. Rousseau and of Louis XIV., who, in the face of all evidence, have succeeded in making some people take their claims seriously.

But it is naturally the world of criminals that has furnished, and yet furnishes, the greatest number of such attempts at deceit. It is not generally known by the honest public how large a number of malefactors have recourse to concealment of identity. We may assert without exaggeration that there is not a single habitual criminal who does not seek to hide his individuality when the circumstances of his arrest permit. The immensity of modern cities and the increasing facility of communication make this course more and more easy. International criminals, such as bank-robbers and pickpockets, traverse two continents, changing their names from country to country. The greater, therefore, becomes the necessity of some methodical system of identification.

It was believed for a short time, thirty years since, that photography was to give the solution of the problem. But the collection of criminal portraits has already attained a size so considerable that it has become physically impossible to discover among them the likeness of an individual who has assumed a false name. It goes for nothing that in the past ten years the Paris police have collected more than 100,000 photographs. Does the reader believe it practicable to compare successively each of these with each one of the 100 individuals who are arrested daily

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in Paris? When this was attempted in the case of a criminal particularly easy to identify, the search demanded more than a week of application, not to speak of the errors and oversights which a task so fatiguing to the eye could not fail to occasion. There was need of a method of elimination analogous to that in use in botany and zoölogy; that is to say, one based on the characteristic elements of individuality, and not on the station and occupation of the accused, which may be erroneously given.

I may remark, in passing, that the absence of a natural method of classification is a reproach that applies equally to all means of judicial identification with which it has been sought to replace photography. Among these are: 1, impressions of the minute channels that traverse the skin of the thumb, according to a method introduced by Francis Galton, in imitation, it would appear, of one in use in China; 2, plaster casts of the jaw, suggested by certain dentists as a method of identification; 3, the markings on the iris, observed by practically the same method as that proposed by me a dozen years ago; 4, impressions, casts, or photographs of the ear, whose channels and ridges present so many individual varieties that it is impossible to find two human ears that are alike, and such great permanence in the same person that the form remains practically the same from infancy to old age.

It has been said, long since, that it is impossible to find two leaves exactly alike. Nature never repeats herself. Choose any part of the human body, examine it, and compare it carefully with the same part of another person, and differences will appear, more or less numerous, as your examination has been more or less minute. You will find external variations; internal variations in the skeleton, the muscles, the course of the veins and arteries; physiological variations in the gait, the expressions of the countenance, and the organic secretions. The dog who seeks his master in a crowd makes his way through it on a run, his nose to the ground. Homer tells us that after twenty years of absence, Ulysses, disguised as a beggar, was recognized only by his dog, "the faithful Argos, with excellent scent." Here is an element of individuality, and consequently of recognition, that escapes the sense of man completely. But a few words, pronounced in a natural tone and "Edisonized" by a phono-

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graph, leave a convincing mark of identity. Where is the mother who would not recognize the voice of her son among a thousand? Thus the solution of the problem of judicial identification consists less in the discovery of new characteristic marks of individuality than in finding a means of classification. Certainly, I do not deny—to speak only of the Chinese method—that the channelled figures presented by the epidermis of the face of the thumb are at once fixed in the same subject and extraordinarily variable from one person to another, and that each individual thus possesses a sort of seal, which is both original and eminently personal. Unfortunately, however, it is also quite undeniable that these designs do not offer strongly enough marked elements of variability to serve as a basis for the classification of several hundred thousand cases.

The anthropometric method of description, of which I am the inventor, besides offering a variability as large as do those that we have enumerated, lends itself admirably to classification. That is its aim, its sole aim. It depends on the three following principles, which the experience of the past ten years has proved to be sound: 1. The facility and the rigorous exactitude with which the principal dimensions of the human skeleton are susceptible of being measured in the living subject, by means of a simply-constructed pair of compasses. 2. The extreme diversity presented by the human skeleton from one subject to another—such a diversity that it is impossible to find two individuals possessing frames, I will not say rigorously similar, but even sufficiently alike to be confounded with each other. 3. The almost absolute fixity of the skeleton after the twentieth year. The height alone or, at most, the length of the *femur*, continues to increase for two or three years, but so slightly that it is easy to take this growth into account; while the length and breadth of the head, the length of the fingers, of the hand, of the foot, of the forearm, and of the ear are unchangeable, whatever may be the development of muscle or of adipose tissue.

The measurements that have been mentioned have been made on the 120,000 subjects that have passed through the Paris prisons during the past ten years, and copied on as many bits of cardboard, which are filed away in pigeon holes. The principal

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features of the method adopted for the classification of this enormous mass of measurements are as follows: The cards containing descriptions of men are placed on one side; those of women on the other. The latter are much less numerous than the former, not exceeding 20,000. From the 100,000 masculine descriptions that remain, about 10,000 must be separated, because they relate to minors and require special classification. The remaining 90,000 measurements of adults are first divided, according to the length of head, into three classes, as follows:

1.	Division of short heads,					30,000	cards.
2.	"	medium	"	"	"	30,000	"
3.	"	long	"	"	"	30,000	"
				Total,.....		90,000	cards.

The measurements are correct within one millimeter, and experience has proved that it is possible, once for all, to fix the limits of the three classes in such manner that each shall always contain approximately the same number of cards. Each of these three great masses of 30,000 measurements is then redivided, without any more reference to the length of the head, into three groups based on the width of the head. These groups, nine in all, will, therefore, contain each about 10,000 cards. These subdivisions are themselves divided each into three groups, according to the length of the middle finger. Each of these last groups evidently contains only about 3,300 measurements. The length of the foot furnishes a fourth basis of division, by which each of the last-mentioned packets of cards is divided again into three groups of 1,100 each. Then come similar subdivisions based respectively on the length of the forearm, the height, the length of the little finger, and the color of the eye. The cards in these last groups, which contain only about 13 each, are arranged according to the length of the ear. Thus, thanks to six new anthropometric principles—those of sex, height, age, and color of the eyes having always figured in descriptions—the collection of 120,000 photographs in the Paris prefecture of police has been divided into groups containing a dozen pictures each.

Suppose, now, that we wish to find out whether a person who has just been arrested, and who says he has no criminal antece-

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dents, has been previously measured and classified under a different name. An anthropometric measurement is first made. Then we seek, first, the primary division of cards corresponding to the length of head of the person measured; next the subdivision of this indicated by the width of his head; then the successive groups corresponding to the length of his middle finger, that of his foot, and that of his forearm. Thus, by a process of elimination, we arrive finally at the packet which ought to contain the measurement sought, if the man arrested has previously been convicted and measured. When one or several of the measurements taken fall on the dividing line between two groups, search has to be made in each, and followed out through all the successive branches of classification, exactly as one searches in a dictionary at different places for a word whose exact spelling escapes him. Comparison and discussion of the descriptions on the cards in any one of the final packets show that it is almost impossible to find two similar ones, so that the equivalence of the corresponding figures of two measurements constitutes almost a certainty of identity. Nevertheless, as in the pursuit of justice absolute certainty ought to be aimed at in all cases where it can be attained, anthropometric measurement, properly speaking, is always supplemented in practice by a descriptive identification, by noting the color of the eyes, hair, beard, and complexion; and by analyzing the contours of the profile, forehead, nose, lips, chin, and ear. The vague terms used on passports and permits have been replaced by a vocabulary that is clear, precise, brief, and above all orderly and classified. In fact, since police identification uses the same material as ethnologic description, the new science founded by Camper, Morton, Broca, and Virchow should serve us as a guide in our task. The old physiognomists, like Lavater and his imitators, pretended to compare the different forms of the human face to those of animals. In truth, there is not among the men of the white race an individual physiognomic characteristic that cannot be compared very simply with some similar but exaggerated form that is normal among one of the colored races—the red, the black, or the yellow. Thus the police vocabulary of description ought to be a descendant, if not ethnologic, at least intellectual, of the vocabulary of ethnog-

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raphy. It has been necessary for us only to lower and to limit the methods of strict science, so as to adapt them to the use of the agents of the police, who are hardly in touch with the doctors of the Sorbonne. This descriptive part of our scheme of identification is replaced by photographs of the judicial type (face and profile side by side) whenever the necessities of the police or the magistracy render the preparation of a portrait desirable.

Finally, our cards of identification bear a third and last element of recognition—the record of particular marks. Every one bears, often unknown to himself, numerous external peculiarities of structure—pigmentary moles, or "grains of beauty," and the scars of cuts, boils, or wounds, not to speak of the tattooings so frequent among criminals. Three or four of these marks suffice to distinguish an individual from all other inhabitants of the earth, if they are described with anatomical precision; as, for example, "a vertical cicatrix in the middle of the back of the second of the phalanges of the left index finger"; or "a mole six centimeters to the left of the vertebral column, and fifteen centimeters below the seventh vertebra." Particular markings thus have an identifying power greater than that of measurements of the bony frame; they would even be called upon to replace these completely, were it not for the difficulty of properly classifying them. I should add that the entire process of identification as it has been described, with its three distinct parts, does not take more than from five to seven minutes for each subject, the measurer being aided by a secretary who writes at his dictation. Thus, four pairs of police officers suffice, at Paris, for the measurement, every morning between nine o'clock and noon, of from 100 to 150 men who were arrested the day before.

Let us now glance at the results obtained by this plan. Formerly the prefecture of police, to guard against concealments of identity, placed the recognition of habitual criminals on the footing of a kind of competitive contest. A prize of five francs was given to every police agent or prison official who recognized a criminal that was concealing his identity, and who could tell the prisoner's real name. In this way from 7,000 to 8,000 francs a year were paid out in exchange for the recognition of from 1,400 to 1,600 criminals. Nevertheless, in spite of the relative size of

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these figures, the magistrates and the prison directors admitted that more than half of the habitual criminals arrested escaped recognition. A fortuitous circumstance sometimes furnished proof that the same malefactor had served sentences in the same prison three or four times under different names, without having been recognized. There were cited cases of "*chevaux de retour*" well known to the police, who, being wanted for grave crimes, could think of no better method of concealment than to commit some slight offense for the purpose of getting arrested and of hiding themselves in a prison under an assumed name.

The anthropometric method cut short all such expedients. Criminals have learned by experience that the time of assumed names is past; they have recourse to them no longer except in desperate cases where they are forced to hide their identity. Such, for example, was the case of B——, an habitual criminal who murdered his wife recently in Paris, and who succeeded in eluding the police for several days. Arrested at night by chance, among a crowd of vagabonds detained by the guardians of the peace, and taken to a police station, he thought it wise to hide under a false name; and he was about to be set at liberty, thanks to this trick, when the anthropometric classification system caused his old measurement, taken five years before under his real name, to rise before him like the ghost of Banquo. We may add to this instance those of many deserters, persons condemned by default, and escaped convicts, in whose cases the establishment of identity was proof positive of their crime, and who were unmasked by anthropometric measurement. This special service, which has been regularly in operation at Paris for more than seven years, has detected annually from 400 to 500 cases of this kind. Its establishment, strongly opposed at first, is now approved even by its former adversaries.

"I do not doubt," the reader will say, perhaps, "that anthropometric examination does detect a certain number of criminals. But how many succeed, as previously, in passing through the meshes? We see the sum of your successes; certainly they are incontestable, but who can tell whether it is not exceeded by the number of your failures?" Official documents permit me to give a categorical answer to this question. Errors in matters of

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this kind may be of two sorts: 1, mistakes in identity; 2, failures to identify. Mistaken identity results from the confusion of two measurements which do not relate to the same person. It may thus be declared, for instance, that B——, here present, is identical with A——, who was arrested and measured five years ago; when in reality they are two distinct persons. Mr. Spearman, an English ex-magistrate, has collected numerous examples of this sort of judicial error that have occurred in England during the past four years. I do not hesitate to assert most emphatically that anthropometry protects us completely from such mistakes. It is necessary to recur, for the moment, to what has been said as to the threefold nature of our method. When, in the midst of a mass of 100,000 measurements, we find a record presenting identically the same figures as that of the subject who is under examination, a mathematical mind may object with justice that the concordance of the figures is not a sufficiently convincing proof of identity, since the method of classification has precisely for its aim the grouping and bringing to light of similar records of measurement. But when, on this old card, selected from 100,000, we find in addition a concordant personal description, the probability of identity is wonderfully increased, and it changes to absolute certainty when we read on the back of this very card the record of all the bodily marks that are observed on the subject under examination.

"These three elements of recognition, evidently independent of each other—mensuration; description, or photography of the face and profile; and the record of bodily markings—allow the determination of the identity of an individual, after an interval of several years, with such absolute certainty that the employees of the anthropometric service, when they discover the true name of a criminal who is concealing his identity, have orders not to make known to the latter the result of their search, but to inform directly the proper magistrates, who thus are in possession of the true character of the person before them, unknown to the latter. Of more than 3,000 reports made thus secretly up to this day, not one has given the opportunity for confusion that, otherwise, the protests of the accused before the police justices would have immediately caused."*

This should not be interpreted to mean that habitual criminals do not often try to protest against the names that anthropometry

* "*L'Annuaire Statistique de la Ville de Paris*," 1889.

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fastens on them; they often protest for months, but unfailingly, hitherto, the exactitude of the anthropometric identifications has been confirmed by the final decisions of the courts. Not a single mistake has been proved, and I may add that I cannot imagine how the legitimacy of our assumptions can be questioned.

Failures to identify correspond to quite another order of facts. Among the 100 persons who pass each day through the process of measurement, what is the number of those who are not unmasked at once, and who are recognized later either by the aid of the old methods or by chance? No point is more interesting to discuss in order to bring out the efficacy of the new method. Official statistics of the city of Paris give us, in regard to this point also, an exact response. The prefectorial administration decided, at the time when it adopted the anthropometric system, that the prizes to be given for the recognition of criminals that the system failed to identify should be doubled, and that they should be deducted, in future, from the salaries of the anthropometric agents. These latter are, then, pecuniarily interested in the good application of the system, since each neglect on their part may result in a fine of ten francs. On the other hand, when a prison official, a clerk, or any subaltern recognizes among the prisoners a former "boarder," under a false name, we may be quite sure that he will not fail to inform his superiors at once, in order to obtain the prize.

As each lapse of the system is thus certainly registered, it is impossible for the interested officials to conceal a mistake. "*L'Annuaire Statistique*" for 1889 tells us that, among a total of more than 30,000 subjects examined during the year, the number of failures to identify was only four. This leaves little to be desired. When the primary causes of these four failures are sought, it is seen that the fault was not in the system, but rather in human fallibility. One morning, for instance, the unfinished searches of the day before were left incomplete, and at other times there were gross blunders in dictating or writing figures. The probability of being recognized at once by being "*bertillonè*" is thus equivalent to certainty, as far as it is possible for anything human to approach this ideal.

One of the curious consequences of the infallibility of anthro-

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pometry is the almost complete disappearance of international pickpockets from Paris. Eight years ago, 100 of them were arrested there yearly; by 1887, the number had fallen to 34; it did not exceed a dozen during the past year. Being satisfied that it has become impossible for them to hide their antecedents in case of arrest, and fearing also the increase of punishment inflicted on habitual criminals and on those who have disobeyed a decree of expulsion, they prefer now to remain, of their own accord, in foreign capitals. "We have our choice," they say; "we are not bound to our native soil by ignorance of foreign languages. If we hesitate between two fields of labor—the one at Paris during the opening of the Exposition, the other at London during a regatta, the difference of punishment in case of accident will suffice to turn us from your capital; pray excuse us!" These remarks, which were made to me in 1887 by the leader of a gang, have been repeated several times. After a little incredulity on the part of some of the police authorities, the fact of the disappearance of pickpockets and the truth of the explanation that I give of it, have been confirmed officially, notably by M. Goron, the present chief of the *Service de la Sureté* at Paris.

My country will not long enjoy its immunity alone, for anthropometry is being adopted rapidly by other nations. Belgium and Russia introduced it officially several years ago, and are quite satisfied with it. The Federal Minister of Justice of Switzerland has recently sent a circular to the cantons to induce them to do the same, and I know from an authoritative source that the adoption of the system is already assured in the chief cities, such as Berne, Zurich, and Geneva. Vienna, Berlin, and Rome are now trying it in their prisons. England alone has held back, in spite of the efforts of certain members of Parliament. But I have just learned that a bill giving to the police the legal power to measure criminals according to the Bertillon system has been recently introduced in the House of Commons.

So our poor international thieves are seeing all European countries successively closed to them. Will they be forced to cross the ocean, to take refuge in America? There also they will find something to talk about, for judicial anthropometry has been put into practice by legislative enactment in several

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States of the Union, and seems to be working its way toward general adoption in the United States and Canada. The National Prison Association of America even advocated it in 1887, several years before it came into general use in Europe. Among the republics of South America, Uruguay, Paraguay, and certain provinces of Brazil have adopted it and are applying it, judging from official documents that have reached me. Yet a few years and our interesting clients will have no other refuge than China; already they will do well not to embark for Japan, which has been using the system for several years.

I may answer, in conclusion, an objection that reached me from New York, through the medium of the press, several years ago. "We cannot understand," it ran, "in what respect your system should interest our police, since it facilitates in no respect the arrest of malefactors on the public road." Certainly anthropometry, considered in itself, is exclusively a penitentiary formality, whose power cannot be exercised till after arrest; but we should not forget that it is reinforced by a descriptive record, which differs in no respect but that of greater precision from the old method of identification in use by the police. It may be said, borrowing the language of the mathematicians, that the role of anthropometry is the reciprocal of that of description. In the old method we have a single description, which must be compared with each of the 100,000 free individuals of a city; in the new method we have a single individual, who must be compared with each of the 100,000 anthropometric measurements on our records. Anthropometry finds the name, the person being given; description finds the person, the name being given, with its corresponding marks of identity.

The new method, in imposing on its agents a rigorous vocabulary, has created what may be called "the portrait in words." Under the influence of this school, those least prepared have become physiognomists, and their perception for police purposes has been made doubly strong. M. Lozé, prefect of police, and M. Goron, chief of the *Service de la Sureté*, have understood this so well that they have finally decided that, instead of attaching special agents to the anthropometric bureau, all their inspectors shall receive anthropometric instruction.

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If we look at things from a comprehensive point of view, everything in police matters is an affair of identification. A crime has been committed by an unknown man. The task of the police consists: 1, in discovering the individuality of the guilty man; 2, in finding him for the purpose of arresting him, that is, in individualizing him in the midst of the mass of human beings. From the beginning to the end of the judicial inquiry, the only questions are those of identity and of description, which are to be solved by taking as a basis the elements of evidence. Vague and deceitful as these are, the new method throws some light on them. Here is a preliminary step toward a scientific police method, in which the technical knowledge of "*la chasse à l'homme*" shall be co-ordinated. Up to the present time, in this matter, all has been left to instinct, that is to say, to routine. The professional instruction of the police has been extremely limited. With reference to legal knowledge the police will be always on a footing of inferiority in comparison with the department of justice, which has studied the law and knows it thoroughly. But what a difference there is when we pass to its application! The courts, properly speaking, are not expected to execute that which the law commands, but all the means of so doing are at the disposal of the police; they have need only to know the limits which the law forbids us to pass.

Nothing, then, prevents the police from setting out in their turn on the road of scientific application, which characterizes the closing years of this century. Anthropology, by definition, is nothing but the natural history of man. Have not hunters in all times been interested in natural history? And, on the other hand, have not naturalists something of the hunter in them? No doubt the police of the future will apply to their particular form of the chase the rules of anthropology and psychology, just as the engineers of our locomotives are putting in practice the laws of mechanics and thermodynamics.

ALPHONSE BERTILLON.

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OUR SERVILITY IN LITERATURE.

CONSIDERING that our national institutions are based upon a high humanitarian ideal, seemingly calculated to inspire an almost religious enthusiasm, and that they are the creation and property of the whole people, we are prepared to find them the objects of the tenderest reverence and solicitude. That, in countries where all power is in the hands of an individual or a class, and the body of the people are owned rather than own, there should be little or none of this reverence, is most natural; but that there should be any lack of it among our people, any tendency to treat the laws with disrespect, is almost astonishing. And yet such disrespect is very general, if not in words at least in practice. Though, from temperament and for material reasons, strongly averse to revolutions, we are, as a people, singularly lacking in patriotism of the genuine sort, in that enthusiastic loyalty which our country deserves, and which is often felt for her institutions by intelligent foreigners.

The lack of patriotism among Americans displays itself, not merely in disrespect for the laws, and in a willingness to break them when they happen to be inconvenient, but also, and to a far greater extent, in matters with which the laws do not presume to deal; in the sphere of morals, as distinguished from that of legality. Very many persons having sufficient patriotism not to violate a positive law, do not hesitate to be thoroughly and systematically unpatriotic in matters beyond the reach of such law. True patriotism imposes this as a duty upon every citizen: that he shall make the fundamental principles of his country's institutions determining factors in all the actions of his life; that he shall neither say nor do anything contrary to these principles, anything calculated to lessen their effectiveness on the life of the nation. How rarely is this duty felt, even among that minority of our citizens who by education are fitted to understand our institutions and their high purpose! It is a pitiful

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fact that the free spirit of our Declaration of Independence has not yet, in any great measure, entered, as an informing principle, into the life of our people. While professedly representing a new epoch in the history of human freedom and civilization, we are still content to follow, in thought and life, the servile and semi-barbarous ideals of past epochs. In no one department of our activity—politics, business, education, religion, art, thought, or literature—has the spirit of American freedom been able to assert itself. Though we boast that we have freed ourselves from the tyrannies of Europe, we are still their bond slaves in all save name. "Captive Greece took captive her rude conqueror," said Horace. So vanquished Europe still rules her vanquisher, America. Ay, and Europe, with good reason, despises us for submitting to her rule.

In no direction, perhaps, is our unworthy and unpatriotic dependence upon Europe more marked, and in none, certainly, is it more pervasively hurtful, than in that of literature. With the works of Emerson, Lowell, Whittier, Hawthorne, Cable, and others before us, it would, of course, be unjust to say that we have no such thing as a national literature. At the same time, no one who understands that a national literature must be an embodiment of the national ideal, will affirm that ours is extensive. Although hardly any other country produces more of what is called literature than the United States, yet very little of what we produce is, in any distinctive sense, American. And worse than this, our home literature is almost overwhelmed in a flood of foreign, un-American productions, which inundate our book markets. The obvious result of this is, that the literature thrown broadcast over our land, and read by the great body of our citizens, young and old, educated and uneducated, is un-American in tone, temper, and ideal, and has a distinct tendency to undermine and destroy all true patriotism among our people.

For this condition of things four distinct classes of persons are to blame: First, the reading public, which has so little love for the national ideal as to crave unpatriotic literature; second, our literary men and women, who so far forget themselves as to pander to this servile craving; third, our publishers, who, for mere love of gain, have been willing to corrupt their countrymen

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with unmanly literature; and, fourth, our literary critics, who hold themselves and their function as educators so cheap as to allow all this to go on without raising their voices against it.

As to the reading public, it may be said, by way of excuse, that its members, for the most part, do not realize either the extent to which they are influenced by what they read, or the hurtful nature of much of the literature supplied to them. They are very largely in the hands of authors, publishers, and critics, who set the fashion in literature, pretty much as tailors and *modistes* do in dress. The one changes almost as frequently as the other, and as capriciously. All the more ought these three classes, the dispensers of literature, to recognize the importance of the part they are called upon to play in the education of their countrymen, and to perform that part conscientiously.

As to American authors, it is but fair to say that few, if any, of them manifest any intention of discouraging patriotism by their writings; while some, and these by far the greatest, are most nobly patriotic. When our authors err, it is mostly from ignorance or from the imitation of foreign models. It ought to be frankly admitted that the majority of our literary men and women, as well as of our artists, are persons of very ordinary intelligence and education, whom a desire for social success, or the inability to pursue any productive calling, has turned to story-telling or verse-forging. That such persons should have any higher purpose than to pander to the taste of the thoughtless multitude, or any power to produce anything valuable or enduring, is not to be expected. Since the long-needed copyright law has been enacted, although it is premature to guess even how far it will contribute to exclude the more undesirable kinds of foreign popular literature from our markets, it certainly ought, by securing to American authors their lawful rights in their works in England and the English colonies, to induce a superior class of men and women to enter the paths of literature in this country. But even authors who deserve to be called literary people are often lamentably ignorant of the character of that literature which our country demands, and which a genuine patriotism would hasten to supply—a literature exhibiting the results of the American spirit in all the departments of thought and life. Very

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many of them not only prefer foreign subjects (which are entirely allowable, if treated in the American spirit,) but also treat all their subjects from a foreign point of view, presenting as valid and binding many notions and conventions which our nation, by the very fact of its existence, utterly repudiates, and which can only tend to obliterate the American ideal in the hearts and minds of our people. In saying this, I must not be understood to advocate any Know-nothingism in literature, any narrow, supercilious insularity, such as so frequently pervades English literary works. Our literature ought to be broad, cosmopolitan, sympathetic; but just for that reason it ought to be American in spirit, and not Chinese, Hindoo, German, French, or English. There is no reason why it should not deal with any form of human thought or life, provided it always deal with it from the American point of view, which alone is truly cosmopolitan. At the same time, it argues a certain blindness to the poetic possibilities of American life, and a certain want of true patriotism, when an American author, instead of taking the subjects for his art from the life of his own people or the scenery of his own country, goes to look for them among the people and scenery of other lands. It ought to be one of his chief endeavors to idealize American life, to bring out its latent poetry; in a word, to throw around it that ennobling charm which Burns and Scott threw around the life of the Scottish people. No more patriotic service can any American perform for his country to-day than this. And this life of ours, in spite of all its outward frivolity, selfishness, and materialism, contains numerous elements of genuine poetry, which it needs but a true literary artist to bring out and make glorious forever. If truth and reality be the basis of all noble art, literary and other, then no life ever offered greater possibilities for art than our life offers to-day. For, however conventional we may, in our obliviousness, allow ourselves to become in actual practice, the underlying ideals of our lives are still simplicity, genuineness, intrinsic, incommunicable worth. What more can a serious artist desire? How much grander and more poetical is the spectacle of a human being quietly and persistently striving to be simply noble in his own person and right, than that of one struggling to obtain lands,

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honors, titles, or even conjugal happiness! And yet how blind are most of our literary men and women to this fact! How few literary works in our country have subjects turning upon what is, after all, the pivot of all true human life at any time!

But, if much of the literature produced by native Americans is foreign and unpatriotic in spirit, that mass of really foreign literature which, in cheap reprints, has threatened to drive our native products from the market, is still more so. A great deal has been spoken and written against these reprints on the score of the dishonesty involved in them, and with good reason; but they deserve far more and far stronger reprobation on other grounds. Even if the authors' copyright had been, in all cases, duly regarded, they ought still, in the majority of cases, to be protested against, as tending to corrupt our people and to draw them away from that simple ideal of life and freedom which is the very soul of our nation. I am here referring not solely or chiefly to reproductions of those unclean works with which France favors us, or of that vapid, sentimental *Damen-literatur* in which Germany abounds, but rather, and especially, to those innumerable reprints of English works of unexceptionable conventional morality with which the whole country is deluged. Against French immorality we are, in some degree, protected by our native puritanism, and where that fails, by conventional hypocrisy; while German sentimentality, lacking, as it usually does, the salt of humor, strikes us as insipid, and therefore lays but slight hold upon us. In English works, on the other hand, there is something far more germane to our character, a subtle atavistic poison, which puts to sleep the new man, the free American, in us, and wakes the slumbering servile or overbearing Englishman. Still more frequently it wakes the slumbering Englishwoman. However useful such literature may be in England, which is dominated by the spirit of caste, rendering necessary the cultivation of servility in one class to match the arrogance of another, it is distinctly hurtful in America, where there is no recognized caste, and where nothing is more essential to public and private well-being than the spirit of manly and womanly self-respect, and of contempt for all factitious worth conferred by birth, position, title, or wealth.

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Aristotle long ago made this wise observation: "Every form of government must be matched by a corresponding education; for it is only when the body of the people preserve those characteristics which originally determined their form of government that that form can maintain itself. For example, the persistence of democracy depends upon the persistence of the democratic spirit." Now, our government is, in theory and ideal, a democracy, and owes its origin to the democratic spirit. If it is to be maintained, the democratic spirit must be carefully cultivated, and this can be done only by education.

When we use the term "education," we are apt to think only of that instruction which is imparted in schools and colleges. But of the education which preserves a political or social spirit, only a very small portion is given or received in such institutions. The main part of it is, at the present day, derived from reading; and as the great body of our people read only the cheap current literature, that literature must be regarded as the chief agent in the preservation or destruction of the democratic spirit among us, and, hence, of our form of government. If the literature which the people habitually read be democratic and independent in tone, the spirit of democracy, and democracy itself, will be preserved; not otherwise. Now, the essential elements in the democratic spirit are a willingness to acknowledge and respect the dignity of humanity in every human being, an appreciation of all genuine worth, wheresoever and in whomsoever it may appear, and an abhorrence of all social distinctions and privileges conferred otherwise than by personal merit. The democratic spirit detests not only the man who exploits another for his own ends, and the man who pusillanimously allows himself to be so exploited, but also the man who arrogantly claims precedence of, or respect from, another on any ground but that of personal character, and the man who servilely admits such claim. If, then, the true democratic spirit is to be kept alive among our people, it must evidently be embodied in, and give tone to, that literature by which the mass of them are educated and by which their political and social leanings are determined.

Thousands of American young men, of fair education and excellent possibilities, captivated by the pictures of English aris-

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tocratic life drawn in English novels, are learning to despise the simple, rational, useful life of the worthy American citizen, and to court consideration and vulgar popularity by adopting the habits, and leading the useless lives, of English lords. As is usual in such cases, the copy is a caricature of the original. The untitled American lord proves usually to be a vulgar creature, having to assert his self-conferred lordship by all that is most unattractive, most inhumane, and most un-American—and it is a good deal—in the English aristocrat. In England, aristocracy has no need to display or to obtrude itself; in America it can exist only by display and obtrusion. For this reason the American would-be nobleman must necessarily court attention and try to strike the vulgar imagination by the mere accidentals of aristocracy, such as any boorish Dives can command—houses, horses, turn-outs, yachts, opera boxes, and the like. And the vulgar are impressed by such things, bow down in servile reverence before them, and do their best to make a similar display.

If the effect of English popular literature upon the young men of America is injurious, rendering them unpatriotic and contemptible, its effect upon the young women is even more so. The extent of this injury it would be almost impossible to overestimate. For many of them the novel-drawn pictures of English social life, wherein every one bows down to birth and title, and lords and high-born ladies are spoken of as if they were divinities whose recognition and favor were the chief prizes of life, are utterly demoralizing, inspiring them with an impatient contempt for the simplicity of American society, in which personal worth and charm can make them queens, and with a longing to enter, even as humble suppliants, the enchanted circle where birth and title rule, and where personal worth hides behind a mask. Women thus demoralized become utterly unfit to be American wives and mothers. Their chief effort is to shape their lives on the English model; if they are poor, toadying to the rich and would-be aristocratic; if they are rich, playing the arrogant English duchess to the best of their ability. Not a few of them even render themselves contemptible to men and gods, by toadying or buying (at what a price sometimes!) their way into English aristocratic circles, by shivering attendance for hours at royal

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receptions, in order to do obeisance to what their country has nobly repudiated; or, worse than all, by buying husbands, renouncing their birthright of freedom and equality with the best, and sinking down into subjects, liable to be called on to act as "ladies in waiting," that is, as chambermaids. If all the sacrifices which degenerate American fathers and mothers have made to buy titled husbands for their daughters were recorded, they would form a revelation so ignominious that it would not be believed; and, after such a revelation, patriotic Americans would hardly dare to look foreigners in the face. But even without such a revelation the conduct of many of our countrywomen abroad, and especially in England, is enough to make every self-respecting American hide his head for shame.

These are but a very few of the sad results due to the dissemination of English popular literature, especially novels, among our people. It would be only too easy to add indefinitely to their number.

In order to rouse public indignation, we require a new race of literary critics, honest, fearless, independent, inspired with profound loyalty to American ideals, thoroughly acquainted with the literary needs of their country, and resolute in their purpose to discredit and put down all literature that threatens to corrupt the spirit of democracy and humanity. When these come to the front, publishers and authors will learn that they cannot be permitted to demoralize the American people with sub-humane, undemocratic, servile literature, whether of foreign or of native manufacture, and that our country imperiously demands a literature embodying its spirit and calculated to educate the whole body of the people up to its ideal. Then, and only then, shall we be truly patriotic at heart. Then, and only then, will the democratic spirit be fostered, and democracy be safe.

THOMAS DAVIDSON.

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FINANCIAL.

FREE SILVER COINAGE—WHY NOT?

THE government rightly assumes the function of coinage in order to give absolute assurance that each coin contains a certain quantity of gold measured by weight in grains, or a certain quantity of silver measured by weight in grains. A little alloy is added to harden the coin. If people who own silver bullion bring it to the mint and ask to have it coined into pieces of metal named "dollars," why should not the silver be coined into silver dollars? If other people bring gold bullion to the mint and wish to have it coined into dollars or multiples of dollars made of gold, why should the bullion not be coined into gold dollars? There is no reason why as many round pieces of silver called "dollars" should not be stamped by the government as any one wants; there is no reason why as many round pieces of gold called "dollars," or "eagles," or something else, should not be coined as any one wants.

The danger of free coinage is not in the free coinage itself. All that is needed to make free coinage safe, and to enable the mints of the government to supply all the dollars of either kind that any one is willing to buy with bullion, is a slight amendment in the act of legal tender.

The value of gold and of silver in the markets of the world is a matter that it is wholly without the power of the government to control or to regulate. The value of the silver in the silver dollar has ranged lately from seventy-six to eighty cents in gold. If the law enables any person who has made a bargain to pay dollars, to pay either in silver dollars or in gold dollars at his own choice, without giving the creditor the same choice, then any one can cheat the man whom he employs or the man to whom he owes money, by availing himself of a law under which any one to whom dollars are owed is forced to take silver dollars whether he wants them or not, or whether he has agreed to take them or not.

Amend this act so that it shall correspond to the laws and the customs relating to pounds-weight. Bargains are made every day to buy and sell so many pounds of cotton, wool, hides, and every other kind of useful goods, except gold and silver bullion. The law says that any man who sells a pound shall deliver a pound avoirdupois of seven thousand grains, unless he has agreed to sell gold or silver bullion. If the bargain relates to bullion, the seller can deliver troy pounds of fifty-seven hundred and sixty grains. But the law does not require the kind of pound to be named in every bargain and sale, either of goods or of

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bullion. It is not necessary to name the kind of dollar in every bargain or sale. Amend the legal tender act so that any man who has promised to pay simple "dollars" for anything except gold or silver bullion, without any other word describing the kind, shall be under the obligation to pay dollars of gold; but also permit him to make his bargains for any kind of goods in silver dollars, provided he says or names silver; then the free coinage of either kind of dollars will be perfectly safe. All can then have all the dollars that they want, of either kind, that they can afford to pay for. Why not?

There is no international act of legal tender. If any one contracts to buy goods and to pay in pounds sterling in London, he must pay in gold or fail. There is not even any coin named "pound sterling." The coin which corresponds to the weight of gold designated "pound sterling" is called a sovereign; that is its lawful name. Conversely, any man who sells corn, or cotton, or wheat, or beef, on a contract to be paid in pounds sterling, can collect his debt in gold. No act of legal tender can deprive either the purchaser or the seller of his rights.

Gold is the standard of the world's commerce. We cannot cut ourselves away from it if we would, and we would not if we could, because it is the safest and surest standard that we can tie up to. The price of the entire crop of wheat and grain, and of everything else that our farmers produce in excess of our own wants, is fixed at the gold standard by what the surplus will sell for in the home market for export. That price of the surplus establishes the price of the whole crop; on matter what kind of money may be legal tender in the United States—whether it be silver dollars worth eighty cents, depreciated notes or what-not—what the farmer gets is, and always will be, just what his crop is worth in gold.

If the free coinage of silver dollars were authorized without a change in the act of legal tender, there is no class of men who would be so badly cheated, or, in the vernacular, "so badly sold," as the farmers who are said to want it. The farmers are beginning to find this out, and it will not be very long before those who advocate the free coinage of silver dollars without a change in the legal tender act, will find themselves so feeble, in number and in every other sense, that they will not count for much in either influence or votes.

This may not be the kind of free coinage that the owners of the silver mines want; it may not be the kind of free coinage that men want who desire to pay their debts at a discount. Is it not the only kind of free coinage and the only act of legal tender that any honest man can advocate or sustain?

EDWARD ATKINSON.

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